



**NYC  
BUILD IT  
BACK**

**Stronger & Safer**

**NYC Build It Back: NYCHA Public Housing  
Rehabilitation and Resilience**

**Tier I Environmental Review of the  
Proposed CDBG-DR Funded Action**

**Final: July 15, 2013**

## Tier I Environmental Review: NYCHA Public Housing Rehabilitation and Resilience

<b>Responsible Entity</b> [24 CFR 58.2(a)(7)]	City of New York - Office of Management and Budget (OMB)
<b>Certifying Officer</b> [24 CFR 58.2(a)(2)]	Mark Page
<b>Program Name</b>	Community Development Block Grant for Sandy Disaster Recovery (CDBG-DR) - Housing Program <b>NYC BUILD IT BACK: NYCHA Public Housing Rehabilitation and Resilience</b>
<b>Federal Agency</b>	U.S. Department of Housing and Urban Development (HUD)
<b>Project Locations</b>	Various locations throughout New York City
<b>Estimated CDBG-DR cost:</b>	\$120,000,000 Total (\$12M Administration and Planning; \$108M Construction Costs)
<b>Grant Recipient:</b> [24 CFR 58.2(a)(5)]	City of New York - OMB
<b>Recipient Address:</b>	255 Greenwich Street, New York, NY 10007
<b>Project Representative</b>	Calvin Johnson (OMB)
<b>Telephone Number</b>	(212) 788-6177
<b>Conditions for Approval</b>	Mitigation measures will be selected for projects to be compliant with environmental requirements and may include: 1) modification of site-specific project scope to avoid or minimize effects on historic or cultural resources, 2) flood hazard prevention and mitigation, 3) protection of water and wetland resources, 4) remediation of toxic or otherwise hazardous materials evident on the targeted properties, and present in construction work areas after testing and assessment are completed, and 8) control of invasive species. Applicable mitigation measures would be incorporated into each proposed project.
<b>FINDING</b> [58.40(g)]	<input checked="" type="checkbox"/> <b>Finding of No Significant Impact</b> (The project will not result in a significant impact on the quality of the human environment)  <input type="checkbox"/> <b>Finding of Significant Impact</b> (The project may significantly affect the quality of the human environment)
<b>Preparer Signature</b> (signature on file)	<i>Catherine Pacheco</i>
<b>Title/Agency</b>	Senior Environmental Scientist, CB&I, Inc. on behalf of New York City Mayor's Office of Housing Recovery Operations (HRO)
<b>RE Approving Official Signature</b> (signature on file)	Mark Page <i>[Signature]</i> Calvin Johnson
<b>Title/Agency</b>	Director, NYC OMB <i>→ Assistant Director, CDBG-DR</i>
<b>Date</b>	July 15, 2013



The City of New York  
**Office of Management and Budget**  
 255 Greenwich Street, 8<sup>th</sup> Floor • New York, New York 10007

**To:** Calvin Johnson, Director CDBG-DR, NYCOMB  
**From:** Mark Page, Director of Management and Budget, NYCOMB  
**Date:** July 8, 2013  
**Re:** Delegation of Certifying Officers for CDBG-DR Environmental Documents

Due to the volume of environmental documents anticipated that require sign off by the Certifying Officer for New York City’s Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, I would like to designate the following NYC Office of Management and Budget (NYCOMB) staff members as certifying officers and allow them to sign any environmental documents associated with HUD Grant # B-13-MS-36-001.

- Calvin Johnson, Director of CDBG-DR
- Jane Brogan, Unit Head-Program and Policy, CDBG-DR
- John Leonard, Deputy Director of Community Development

Each individual listed above will represent the responsible entity and will be subject to the jurisdiction of the Federal courts as specified in 24 C.F.R. Part 58 Section 58.13.

**Responsible Entity, Representative’s Information/Certification:**

Responsible Entity, Representative’s name, title, and organization (printed or typed):

Mark Page, Director of Management and Budget, NYCOMB

Responsible Entity, Representative’s signature: 

Date: 7/8/13

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## Acronyms and Abbreviations

ABFE	Advisory Base Flood Elevation
ABFE+1	Advisory Base Flood Elevation plus one foot of additional elevation
ALB	Asian Longhorned Beetle
APHIS	Animal and Plant Health Inspection Service
APZ	Accident Prevention Zone
ASD	acceptable separation distance
AUGF	Authority To Use Grant Funds
BFE	base flood elevation
BMP	best management practices
CBRA	Coastal Barrier Resources Act
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant for Disaster Recovery
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CNEL	community noise exposure level
CZ	Clear Zone
CZM	Coastal Zone Management
dbA	A-weighted decibels
DEP	Department of Environmental Protection
DOB	Department of Buildings
DOE	Department of Education
DR	Disaster Recovery
EA	Environmental Assessment
EO	Executive Order
EOC	Emergency Operations Center
EPA	see USEPA
ER	Environmental Review
ERR	Environmental Review Record
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
FONSI	Finding of No Significant Impact
HPD	Housing Preservation and Development
HRO	Housing Recovery Office

## Acronyms and Abbreviations (continued)

HUD	Housing and Urban Development
ICS	Incident Command Structure
LPC	Landmarks Preservation Commission
MOA	Memorandum of Agreement
NAG	Noise Assessment Guidelines
NAGPRA	Native American Graves Protection Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NOIRROF	Notice of Intent to Request Release of Funds
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
NY	New York
NYC	New York City
NYCHA	New York City Housing Authority
NYCHA Public Housing	<b>NYC Build it Back:</b> NYCHA Public Housing Rehabilitation and Resilience
NYCRR	New York Codes, Rules and Regulations
OEM	Office of Emergency Management
OMB	Office of Management and Budget
PA	Programmatic Agreement
P-FIRM	Preliminary Flood Insurance Rate Map
pCi/L	picocuries per liter
QEP	Qualified Environmental Professional
RCZ	Runway Clear Zone
RE	Responsible Entity
RROF	Request Release of Funds
RTES	rare, threatened, and endangered species
SDWA	Safe Drinking Water Act
SHPO	State Historical Preservation Office (New York State Office of Parks, Recreation, and Historic Preservation)
SIP	State Improvement Plan

## Acronyms and Abbreviations (continued)

SIRR	Special Initiative on Rebuilding and Resilience
SPDES	State Pollutant Discharge Elimination System
U.S.	United States
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
WRP	Waterfront Revitalization Program

## 1.0 NEW YORK CITY HOUSING AUTHORITY PUBLIC HOUSING REHABILITATION AND RESILIENCE PROJECT DESCRIPTION

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**Tier I Environmental Review - Project Description: New York City Housing Authority  
Public Housing Rehabilitation and Resilience  
Grant Number: B-13-MS-36-0001**

### 1.1 Background and Statement of Purpose

Hurricane Sandy hit the densely populated City of New York (NY) on October 29, 2012. In the days leading up to the devastating impact of this unusually large storm system, the National Oceanographic and Atmospheric Administration (NOAA) weather models predicted landfall would coincide with a full moon and high tides approximately 5% higher than normal. Advised of these conditions, Governor Andrew Cuomo proactively requested federal emergency assistance prior to landfall to help put resources in place on October 26<sup>th</sup>. The City's Office of Emergency Management (OEM) immediately began mobilizing to plan and prepare for any potential impact and New York City Mayor Michael Bloomberg issued the second-ever mandatory evacuation of coastal areas on October 28<sup>th</sup>. The evacuation encompassed residents living in evacuation Zones A and V, which included: Coney Island, Manhattan Beach, Red Hook, and other areas along the East River in Brooklyn; Howard Beach, Broad Channel, and all of the Rockaways in Queens; almost all the coastal areas of Staten Island; City Island, a small patch of Throgs Neck, and other patches of the South Bronx; and Battery Park City and stretches of the West Side waterfront and of the Lower East Side and East Village in Manhattan. The City opened 76 shelters to the public.

By the time the storm reached the New York City (NYC) region, Hurricane Sandy brought wind gusts of up to 74 miles per hour and unleashed a catastrophic storm surge along the northeastern coast, particularly in NYC. The course of the storm exacerbated conditions by putting NYC within the northwest quadrant of the storm, so this region was subject to the storm system's strongest winds. On October 30<sup>th</sup>, President Barack Obama signed the Hurricane Sandy major disaster declaration DR-4085 for NY.

According to the National Hurricane Center, Sandy was the deadliest hurricane to hit the northeastern United States (U.S.) in 40 years and the second-costliest in the nation's history. Between NY, New Jersey, and Connecticut, Hurricane Sandy is estimated to have caused over \$80 billion in damages. On October 30<sup>th</sup>, President Obama issued a major disaster declaration for affected areas in Connecticut, New Jersey and NY, making disaster assistance available to those in the heaviest hit areas affected by the storm.

Following damage assessments performed by the Federal Emergency Management Agency (FEMA) President Obama also signed into law the “Disaster Relief Appropriations Act, of January 29, 2013” (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy, and other recent eligible disaster events.

The U.S. Department of Housing and Urban Development (HUD) is responsible for administration of the Community Development Block Grant (CDBG) – Disaster Recovery (DR) program to help address housing and non-housing needs in NYC communities devastated by Hurricanes Sandy. HUD was ordered to disburse the funds in at least two phases: 33% within the 60 days following the law’s enactment and the remainder to be released at a later date. The Act also requires grantees to submit an action plan to the HUD Secretary “detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas.”

HUD anticipates release of CDBG-DR- funds to NYC for housing recovery activities upon completion of the required and applicable Environmental Reviews (ER). As the Responsible Entity (RE) under the Code of Federal Regulations (CFR) 24 Part 58, and the Subrecipient of the grant funds, NYC has identified the Director of its Office of Management and Budget (OMB) as the certifying officer, and entity responsible for maintaining the CDBG-DR ER Record (ERR). Prior to release of the grant funds, NYC will complete ERs of the proposed activities for programs in compliance with the National Environmental Policy Act (NEPA) of 1969 and as subsequently amended, and HUD Environmental Standards. At the date of this publication, NYC has been allocated the amount of \$1,772,820,000 in CDBG-DR funds for distribution among housing and infrastructure recovery program paths that incorporate citywide administration and planning.

NYC published its Partial Action Plan A<sup>2</sup> for Hurricane Sandy DR on April 25, 2013 to partially outline the purpose and distribution of the CDBG-DR funds, and to elicit comments from the public. Following completion of the public comment period, comments were addressed in the Plan’s final published version on May 10, 2013. For housing recovery, the Plan details how the City’s agencies intend to utilize this first allocation, including how it will leverage other funding sources to address areas of unmet need. NYC will have one housing recovery program with four permanent housing recovery paths that maximize coordination across agencies. In this way, the City’s CDBG-DR program will leverage scale and resources, as possible, to provide solutions

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1 <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

2 <http://www.nyc.gov/html/cdbg/html/plan/read.shtml>

tailored for the different needs of homeowners or landlords in need of assistance (e.g., by geography, building type and size).

The published objectives of the City’s housing recovery program paths are:

1. Helping people affected by Hurricane Sandy directly by replacing and rehabilitating housing units, including identifying opportunities for mitigation enhancement measures;
2. Helping people affected by Hurricane Sandy by improving the resilience of their housing units while restoring their buildings/residences;
3. Supporting resilience improvements to reduce risk and strengthen neighborhoods in flood zones; and
4. Leveraging philanthropic investments to address immediate gaps with flexible capital and maximize CDBG-DR dollars at scale.

To meet these objectives the City has established **NYC Build it Back** to execute four housing recovery program paths for assistance to City residents who suffered damages to their homes by Hurricane Sandy. The four housing recovery program paths have been allocated the amount of \$648,000,000 in CDBG-DR funds to be distributed as indicated in **Table 1-1: Total CDBG Funds Available for Housing Program Paths**. Due to the unique characteristics of these four paths, each has been subject to separate ER processes.

<b>Table 1-1 Total CDBG-DR Funds Available for Housing Recovery Program Paths</b>			
<b>NYC Housing Recovery Program Paths</b>	<b>To be Spent</b>	<b>Targeted for Low-Moderate Income Persons</b>	<b>Targeted for Low-Moderate Income Persons (%)</b>
Single-family Houses	\$306,000,000	\$168,000,000	55%
Multi-family Buildings	\$225,000,000	151,000,000	67%
NYCHA Public Housing Rehabilitation and Resilience	\$108,000,000	108,000,000	100%
Rental Housing Subsidy	\$9,000,000	9,000,000	100%
<b>Total</b>	<b>\$648,000,000</b>	<b>\$436,000,000</b>	<b>67%</b>

*Note:*

*Funding amounts are approximate and subject to change and does not include costs associated with Citywide administration and Planning*

The New York City Housing Authority (NYCHA) **NYC Build it Back: Public Housing Rehabilitation and Resilience (NYCHA Public Housing)** path will provide a restricted grant to NYCHA to make vital improvements to its tenant-occupied residential properties and community centers affected by Hurricane Sandy. This publication constitutes the Tier I ER of

NYCHA Public Housing<sup>3</sup>. Along with supporting documentation, the final version of this Tier I ER was published on July 15, 2013, followed by the required public comment period and documentation of the Release of Funds. This publication will be incorporated into the ERR managed by the OMB for the City's housing program paths.

In coordination with the City's Housing Recovery Office (HRO) and its Housing Preservation Department (HPD), NYCHA will undertake activities to be completed under the NYCHA Public Housing path. As described in **Section 1.3**, the CDBG-DR funds allocated to this **NYC Build It Back** program path will be used to make essential permanent repairs to Hurricane Sandy-damaged City-owned residential properties. It will also help NYCHA make needed improvements to these and other residential properties to reduce their vulnerability to future storm forces with measures that make them more resilient. Restoration and improvements to these public housing facilities and utility services will enable thousands of tenant families to achieve DR and stay in their neighborhoods.

## 1.2 Project Location

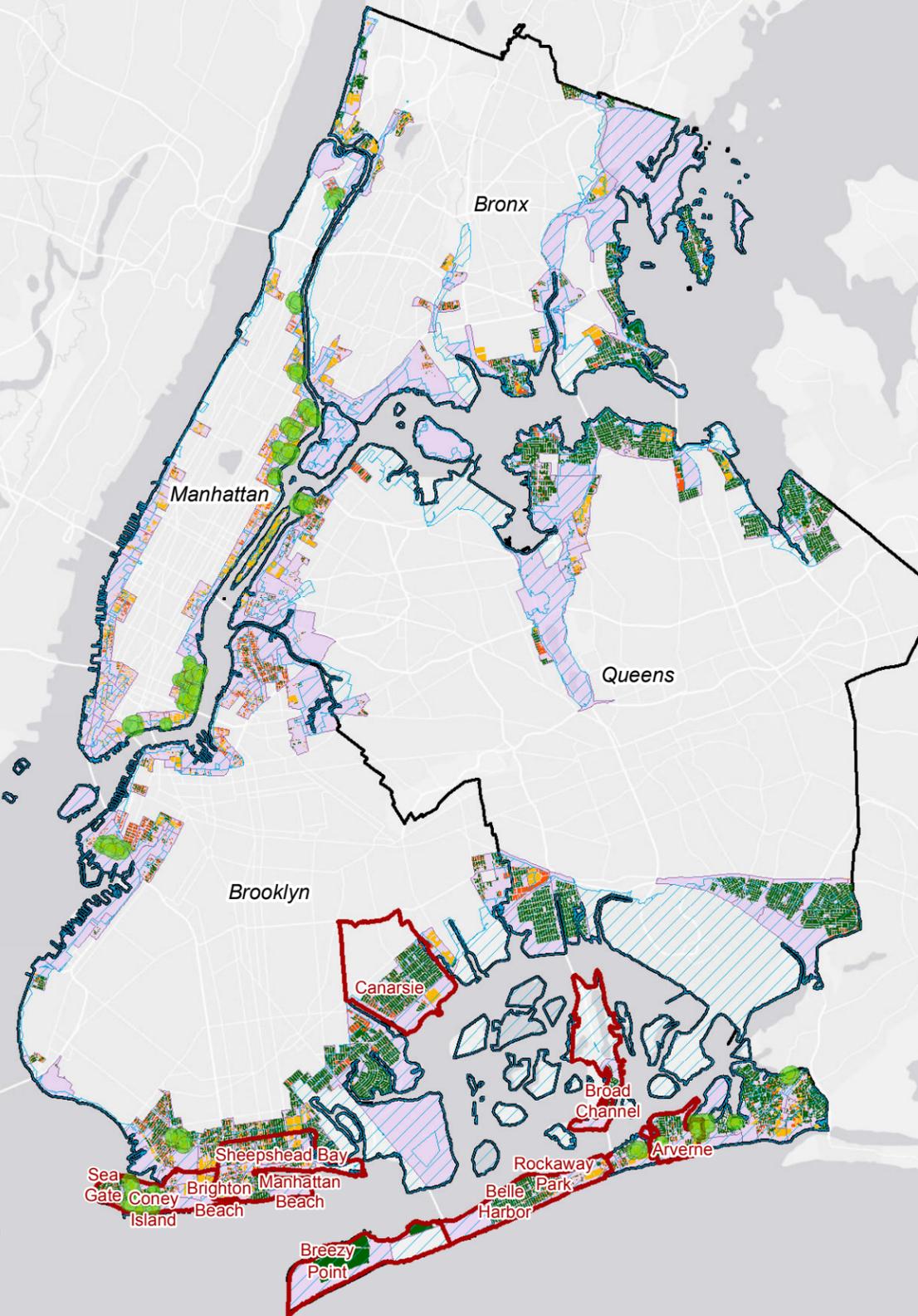
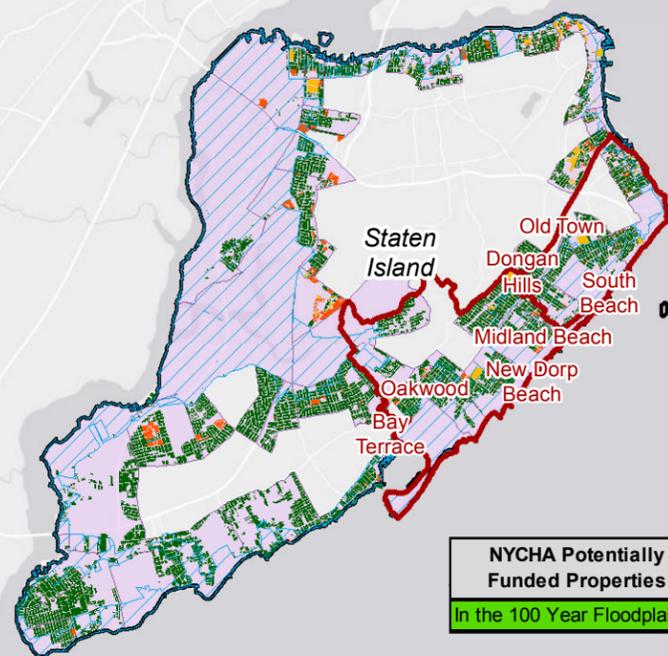
The geographic scope for NYC Public Housing activities described herein are the publicly-owned residential facilities located in the boroughs of Brooklyn, Bronx, Manhattan, Queens, and Staten Island as displayed in **Exhibit 1: Hurricane Sandy-Damaged Public Housing Facilities in New York City**. Construction activities are expected to take place on public housing/residential properties and facilities, many of which were damaged by Hurricane Sandy. The number of persons reportedly impacted by the Hurricane is 10.3% of the City's residents, including tenants of public housing facilities. **Table 1-2: Hurricane Sandy Impact Across New York City** displays the relative significance of renter-occupied housing units across the City and the percentage of these situated in the inundation area.

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<sup>3</sup> In accordance with 24 CFR Part 58.5 Tier I Environmental Reviews were prepared separately for the NYC Houses Rehabilitation and Reconstruction program path and the NYC Multi-Family Building Rehabilitation program path. The NYC Housing Rental Subsidy program path was determined categorically excluded and not subject to 24 CFR Part 58.5.

MapPLUTO - Land Use	No. of Buildings	No. of Residential Units
<b>Bronx</b>		
One & Two Family Buildings	11,096	13,543
MultiFamily Walkup Buildings	1,890	8,988
MultiFamily Elevator Buildings	270	24,676
<b>Brooklyn</b>		
One & Two Family Buildings	39,063	54,891
MultiFamily Walkup Buildings	11,990	46,490
MultiFamily Elevator Buildings	854	64,648
<b>Manhattan</b>		
One & Two Family Buildings	622	895
MultiFamily Walkup Buildings	2,819	37,557
MultiFamily Elevator Buildings	1,554	131,097
<b>Queens</b>		
One & Two Family Buildings	46,979	54,012
MultiFamily Walkup Buildings	5,117	19,857
MultiFamily Elevator Buildings	524	42,132
<b>Staten Island</b>		
One & Two Family Buildings	58,523	68,154
MultiFamily Walkup Buildings	5,387	10,518
MultiFamily Elevator Buildings	131	10,090

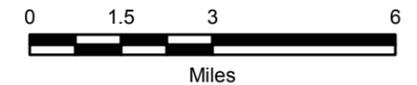
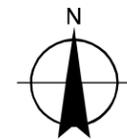
Note:  
These data reflect the total number of buildings and total number of residential units within the impacted census tracts only.



NYCHA Potentially Funded Properties	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
In the 100 Year Floodplain		12	25	7		44

**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- Census Tracts  
NYC Dept. of City Planning (March 2013)
- Sandy Impact Zone (89.30 SqMi)  
NYC Office of Emergency Management
- Top 10 Damaged Neighborhoods  
NYC CDBG-DR Action Plan A (Jan 2013)
- NYCHA Public Housing Facilities**
- Funded Properties  
in the 100 Year Floodplain  
NYCHA (July 2011)
- MapPLUTO - Land Use**
- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings  
NYC Dept. of City Planning (Nov 2012)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

EXHIBIT  
**1**  
**HURRICANE SANDY  
DAMAGED NEIGHBORHOODS  
AND PUBLIC HOUSING FACILITIES  
IN NEW YORK CITY**



**Table 1-2  
Hurricane Sandy Impact in New York City**

Source: The City of New York CDBG-DR Partial Action Plan A, April 2013

	New York City		Bronx		Brooklyn		Manhattan		Queens		Staten Island	
	Total	Inundation Area	Total	Inundation Area	Total	Inundation Area	Total	Inundation Area	Total	Inundation Area	Total	Inundation Area
Persons Impacted	8,175,133 (100%)	846,056 (10.3%)	1,385,108 (100%)	40,992 (3.0%)	2,504,700 (100%)	310,227 (12.4%)	1,585,873 (100%)	230,742 (14.5%)	2,230,722 (100%)	188,444 (8.4%)	468,730 (100%)	75,651 (16.0%)
MEAN HOUSEHOLD SIZE	2.57	2.41	2.77	2.45	2.69	2.48	1.99	2.09	2.82	2.64	2.78	2.78
PERSONS WITH DISABILITIES	10.4%	11.4%	13.7%	14.8%	9.5%	12.8%	9.8%	10.1%	9.6%	10.6%	9.6%	9.9%
ELDERLY 65+	12.1%	14.5%	10.5%	13.7%	11.5%	16.4%	13.5%	13.5%	12.8%	13.8%	12.7%	11.8%
<b>INCOME</b>												
Below poverty	19.10%	17.30%	28.4%	18.7%	22.0%	17.1%	17.8%	21.6%	13.0%	15.3%	10.3%	9.0%
Near poor	5.10%	4.70%	6.7%	4.9%	5.5%	4.6%	4.3%	5.4%	4.7%	4.1%	3.4%	4.5%
<b>RACE</b>												
White non-Hispanic	33.3%	45.5%	10.9%	34.7%	35.7%	53.6%	48.6%	36.6%	27.6%	36.7%	64.0%	67.6%
Black non-Hispanic	22.8%	22.3%	30.1%	26.8%	31.9%	20.7%	12.9%	17.4%	17.7%	36.3%	9.5%	6.6%
Hispanic	28.6%	20.6%	53.5%	34.4%	19.8%	13.6%	25.8%	30.8%	27.5%	17.7%	17.3%	17.6%
Asian non-Hispanic	12.6%	9.4%	3.6%	UA	10.4%	10.4%	11.2%	12.7%	22.8%	6.6%	7.4%	UA
Multi-racial non-Hispanic	2.0%	1.5%	1.6%	UA	1.6%	UA	UA	UA	UA	UA	UA	UA
<b>HOUSING</b>												
Total	3,371,062	369,907	511,896	12,460	1,000,293	134,267	847,090	117,455	835,127	77,164	176,656	28,561
Built prior to 1980 - Average	87.2%	80.1%	90.1%	78.2%	89.7%	89.2%	88.9%	84.6%	89.8%	80.2%	63.0%	56.7%
Occupied Units	92.2%	90.7%	94.4%	91.5%	91.7%	91.3%	90.2%	90.1%	93.4%	89.2%	93.7%	93.2%
Owner-Occupied Units	31.0%	34.4%	19.3%	45.7%	27.7%	37.5%	22.8%	15.3%	43.0%	44.7%	64.1%	63.8%
Renter-Occupied Units	69.0%	65.6%	80.7%	54.3%	72.3%	62.5%	77.2%	84.7%	57.0%	55.3%	35.9%	36.2%
1-2 Family Buildings (units w/in)	23.8%	25.4%	23.1%	14.7%	25.5%	31.2%	0.6%	0.2%	41.9%	43.2%	77.9%	77.5%
Multi-Family (3+) Buildings (units w/in)	67.3%	51.5%	66.4%	37.2%	61.8%	57.4%	59.7%	56.1%	41.1%	49.4%	19.5%	19.2%
Mixed-Use Residential/Commercial (units w/in)	18.3%	22.3%	17.8%	39.6%	11.9%	10.6%	38.0%	42.5%	8.5%	7.2%	2.1%	2.4%

Notes: UA = Unavailable data

Housing Data = Percentages under the "Total" heading represent percentage of the total housing units overall (within New York City or relevant borough; percentages under the "Inundation Area" heading represent percentage of the total housing units within the inundation area within New York City or relevant borough.

The data in this table was obtained from the 2013 City of New York Community Development Block Grant – Disaster Recovery Partial Action Plan A and the 2010 US Census.

### 1.3 Project Description

The NYCHA Public Housing activities to be funded by CDBG-DR will improve NYCHA's housing services to tenant households affected by Hurricane. Under NYCHA Public Housing the proposed activities will rehabilitate and replace critical building infrastructure and incorporate new equipment and measures to restore structure elements and service systems to pre-storm conditions. NYCHA intends to make these systems more sustainable and resilient to future storm events and further promoting the preservation of the public housing asset with the implementation of sustainable designs. The CDBG-DR funding in the amount of \$120,000,000 will support these efforts by NYCHA to achieve DR and reduce vulnerabilities to future storm forces. A 90% portion (\$108,000,000) is available to NYCHA, while 10% (\$12,000,000) is dedicated to Citywide Planning and Administration of this program.

The NYCHA Public Housing assistance will be provided following environmental clearance from the HUD-designated Responsible Entity, which is the City's OMB. To achieve environmental clearance the proposed projects must comply with 24 CFR 58 and HUD Environmental Standards. In accordance with the Federal Register<sup>4</sup> at least 50% of the CDBG-DR funds must be used for project activities that benefit and meet the unmet housing needs of eligible low to moderate income households. The first phase of the program would install permanent emergency generators at 100 of NYCHA's most vulnerable buildings that were impacted by Hurricane Sandy. NYCHA proposes to install these generators in Flood Zone AE residential buildings to ensure permanent provision of electrical power to building elevators, public hallways, stairwells, public spaces, building lobbies, trash compactors, and critical water/heating and domestic/hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.

Beyond this first phase, NYCHA proposes to implement resilience measures at its facilities most vulnerable to flooding that include elevating critical building systems such as boilers and switchgear. It also plans to improve resiliency by adding permanent emergency generators at the remaining critical NYCHA buildings in Flood Zone AE, which is anticipated to cost an additional \$130 million and may be funded from future CDBG-DR allocations. In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure (ICS) based system, and rehabilitating 90 Community Centers located in Flood Zone AE.

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4 Federal Register 5696-N-01:Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy, March 5,2013.

- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resiliency and mitigation measures (i.e., elevating mechanical and electrical systems) to building facilities in the new Flood Zone AE.

## 1.4 Existing and Future Need

### 1.4.1 Estimation of Overall Damage to Public Housing

The five boroughs of NYC were impacted by Hurricane Sandy although shoreline and other low-lying areas proved most vulnerable to the storm's forces. Flooding exceeded long-standing NYC Flood Zone A boundaries established for emergency evacuation, as well as the boundaries and flood heights of the pre-storm FEMA Special Flood Hazard Zone A (**Section 5.0 Exhibit 6: Flood Hazard Areas of New York City**). The Hurricane Sandy inundation area extended over an area of the City containing approximately 100,000 residential buildings and over 400,000 residential units, as displayed on **Exhibit 1: New York City Neighborhoods Damaged by Hurricane Sandy**. According to 2010 Census data, this inundation area is home to approximately 10.3% of the City's population (846,056 persons). Brooklyn had the highest number of persons impacted (310,227), followed by Manhattan (230,742), Queens (188,444), Staten Island (75,651), and the Bronx (40,992).

To understand the significant damage Sandy caused to NYC's housing stock and the demand for temporary and permanent housing, the City analyzed field inspections and a variety of data sources to estimate the volume and severity of damaged buildings across the five boroughs. These data sources include inspections conducted by NYCHA, FEMA, the Department of Buildings (DOB), and HPD, as well as inundation assessments, and utility outages. While none of the NYCHA buildings sustained permanent structural damage due to the storm, many building systems were significantly impacted and are essential for supporting the living conditions for tens of thousands of New Yorkers served by NYCHA. Hundreds of buildings in Brooklyn, Queens, and Manhattan, with 35,000 residential units housing roughly 80,000 residents, were affected significantly by Hurricane Sandy. Of these buildings, 402 lost power, and with it, elevator and compactor service. Also, 386 buildings lost heat and hot water. The City's Partial Action Plan A noted the following residential impacts:

- In Coney Island, 42 buildings – home to 8,882 residents – were impacted.
- In the Rockaways, 60 buildings – home to 10,100 residents – were impacted.
- In Red Hook, 32 buildings – home to 6,173 residents – were impacted.
- In Manhattan, 176 buildings – home to 41,513 residents – were impacted.

NYCHA developments in Coney Island were especially impacted because those buildings sustained substantial sand and saltwater infiltration. The systems damaged in other developments were largely caused by flooding. An additional 356 NYCHA buildings at 97 developments in all five boroughs sustained moderate damage, mostly due to wind damage on roofs and facades.

To date, the storm has resulted in approximately \$130 million of expenditures in NYCHA housing related to the immediate response efforts including: dewatering efforts, mobile boilers, emergency electrical restorations, debris removal, clean up, and operating expenses such as emergency overtime.

#### **1.4.2 NYCHA Public Housing**

Beyond the immediate emergency response costs that were incurred by NYCHA after Hurricane Sandy, more than \$410 million will be needed to achieve permanent rehabilitation and resiliency measures at its public housing facilities in NYC. This amount will first enable the replacement of damaged infrastructure that primarily includes mechanical and electrical systems. NYCHA will also need \$35 million to deliver disaster programs through CDBG-DR and FEMA funding. This will include technical expertise, project management, accounting, information technology, and audit support.

NYCHA intends to proactively seek measures to strengthen all of its impacted properties. These measures are intended to minimize the damage caused by future storms and therefore minimize the direct impact to thousands of residents. These measures will include:

- \$250 million to improve resiliency by adding permanent emergency generators at critical NYCHA buildings, which will improve the resiliency of the electrical systems necessary for many other critical system services such as elevators, boilers, emergency lighting, and critical life support systems;
- \$120 million to enhance 60 Community Centers in damaged buildings located in Evacuation Zone A to enable them to serve as warming centers, information distribution sites, local command centers, phone charging stations, or emergency shelters in future storms;
- \$50 million to increase the resilience of NYCHA's Emergency Operations Center (EOC) given that the current EOC, which is currently in Evacuation Zone A, experienced flooding and suffered damage during Sandy.

FEMA released preliminary work maps on June 10, 2013 as an interim product prior to developing the preliminary flood insurance rate maps (P-FIRM); these have replaced the Advisory Base Flood Elevation (ABFE) information that was utilized in some impacted communities as the Best Available Data for rebuilding and recovery efforts in the aftermath of Hurricane Sandy. The preliminary work maps have significantly increased the number of NYCHA buildings located in the 100-year flood zone, and placed a significant number of NYCHA buildings in Flood Zone A compared to pre-Hurricane Sandy conditions. NYCHA intends to also proactively seek measures to strengthen these additional buildings since they are just as vulnerable to future storm damage as those that were directly impacted by the storm. Subject to funding availability, these additional measures would include:

- \$620 million to implement basic resiliency and mitigation measures (i.e., raised boilers and electrical switch gear) to all buildings in the new Flood Zone A, and the revised Evacuation Zone A.
- \$60 million to enhance 30 Community Centers in non-damaged buildings located in Zone A to enable them to be able to serve as warming centers, information distribution sites, local command centers, phone charging stations, or emergency shelters in future storms.

### 1.4.3 Hurricane Sandy Disaster Recovery Measures

Recognizing the extraordinary degree of changed social and environmental changes to many of the City’s built communities, the Mayor’s office evaluated executive actions that could be taken to both facilitate neighborhood recovery and strengthen their resiliency to extreme weather events of the future. Following consultation with various entities and subsequent evaluation, Mayor Bloomberg created the HRO within the Department of Environmental Protection (DEP) to specifically address Hurricane Sandy-related housing needs<sup>5</sup>. The Mayor also established the Special Initiative on Rebuilding and Resiliency (SIRR)<sup>6</sup> to develop a plan to make NYC more resilient to the impacts of climate change. The SIRR is focused on increasing the resiliency of the areas hardest hit by Hurricane Sandy and the 2011 storms.

In January, and subsequently in April of 2013, FEMA released its Advisory Base Flood Elevation (ABFE) Maps for portions of NYC affected by the Hurricane Sandy. These maps were intended to provide homeowners and builders the “best available data” on flood risk for the areas impacted by the storm so they could make decisions about how to rebuild until the Preliminary Flood Insurance Rate Maps (P-FIRMS) could be updated by FEMA. However, on June 10, 2013, FEMA announced the P-FIRMS would not likely be published until 2014 and issued its newest “best available data” as preliminary work maps<sup>7</sup>, which advise that reconstruction projects be elevated to one foot above the BFE+1.

In response to the need to elevate buildings based on the ABFE Maps, Mayor Michael Bloomberg also signed Executive Order (EO) 233 on February 5, 2013. The purpose of EO 233, titled “Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards,” allows for the waiving of certain provisions of the existing Zoning Resolution that could have prevented, hindered or delayed disaster recovery. Reconstructing or elevating a building at a higher elevation, in many instances would have been prohibited by the Zoning Resolution as creating conditions whereby cases of non-compliance would likely increase dramatically. Also, the installation of emergency generators in required side or rear yards would be prohibited by the existing Zoning Resolution.

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5 Operations initially included the execution of the NYC Rapid Repairs Program.

6 [http:// www.nyc.gov/html/dcla/downloads/pdf/SIRR\\_Public\\_Workshops\\_March\\_2013.pdf](http://www.nyc.gov/html/dcla/downloads/pdf/SIRR_Public_Workshops_March_2013.pdf)

7 [http:// www.region2coastal.com/bestdata](http://www.region2coastal.com/bestdata)

Moreover, the reconstruction of certain buildings would trigger reviews by the City Planning Commission in waterfront areas. To address these and other impediments to the rebuilding of homes and businesses at safe elevations, EO 233 suspends specific provisions of the existing Zoning Resolution cases, providing the buildings fully comply with the provisions of Appendix G of the 2008 NYC Building Code and elevate the lowest floor to the design flood elevation specified in the EO 233.

NYC recognizes that without federal assistance through the CDBG-DR program, residents of its hurricane-damaged communities would be unable to rehabilitate their homes to comply with housing construction standards within an acceptable period of time. If housing conditions are not addressed until other funding sources become available, the damaged housing stock would remain vulnerable to structural deterioration and weathering. Residents of partially damaged structures would make repairs as they are able, and not necessarily code-compliant or resilient to future weather extremes. Residents displaced from their homes would continue to seek shelter from family and friends, through various public service agencies or non-profit organizations, and potentially relocate away from NYC. Not only would structural conditions of damaged homes continue to deteriorate, but property values would continue to drop, slum and blight conditions would increase, all posing a continuing burden on the city's tax base and services. As allocated to NYC, the CDBG-DR funds available are considered essential to recovering the City's overall vitality.

For the NYCHA program addressed in this Tier I ER, the CDBG-DR funds will facilitate restoration efforts to provide public housing facilities with improved resilience in emergency situations.

## 1.5 Summary of Findings and Conclusions

Through consideration of alternatives, NYC has determined that it has no practicable alternative other than to proceed with the proposed project. The alternatives considered are presented as follows:

***No Action Alternative.*** Under the no-action alternative, neither permanent repairs nor resiliency measures would be funded by CDBG-DR or implemented for NYCHA residential buildings as described in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent power equipment solutions, NYCHA's targeted 100 residential buildings in the Special Flood Hazard Zone AE would remain in vulnerable to flooding. When these systems are not in service NYCHA's tenant families are subject to disruption. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, and become less functional.

**Limited Action Alternative.** A limited action alternative to use CDBG-DR funds only to complete permanent repairs to NYCHA’s residential buildings damaged by Hurricane Sandy has been considered. This action would at least restore the buildings and system services to their pre-hurricane condition. While this action would enable the buildings to serve their purpose until the next flooding event, NYCHA’s tenant families would remain vulnerable to future storm forces. NYCHA would again incur emergency response costs to serve its tenant population while making essential repairs. Due to FEMA’s recognized expansion of the Special Flood Hazard Zone AE, additional NYCHA buildings and tenant families would be vulnerable to storm forces. The City considers that the potential risk for cyclic and costly emergencies for NYCHA is unacceptable, particularly given the large residential population it serves and current understanding of how climate change conditions may produce future extreme storm events.

**Proposed Action Alternative.** The City proposes to use CDBG-DR funds to make permanent repairs to NYCHA’s residential buildings, making improvements to the City’s 90 Community Centers in Flood Zone AE, while preserving these critical investments by making them resilient to future storm forces. An important portion of the funds will be specifically applied towards rehabilitation and/or replacement of critical building systems to restore these to pre-storm conditions. Additional funds will be applied towards the purchase of energy efficient generators or generating systems, as appropriate, to reduce vulnerability to the loss of critical services during emergency conditions. These systems will be sustainably designed, and installed above the base flood elevation (BFE) as required by FEMA, thus making these and the buildings they serve more resilient, as well as promoting the preservation of the City’s vital public housing assets. Additional funds would help establish a new Emergency Operations Center and a standard ICS.

Certain categories evaluated in the NYCHA Public Housing program Statutory Checklist presented in **Section 6.0** may indicate the potential for adverse impacts. Through completion of the site-specific checklist presented in **Section 7.0**, proposed construction projects will be assessed to determine the proposed activities and the potential adverse environmental impacts. If adverse impacts are found to exist, appropriate mitigation measures will be required in order to achieve compliance with NEPA and HUD Environmental Standards.

General project conditions will be applicable to **NYC Build It Back** construction activities for NYCHA Public Housing. Mitigation measures along with best management practices (BMP) will be identified for projects to be compliant with federal, tribal, state, and local environmental requirements and may include: 1) modification of site-specific project scope to avoid or minimize effects on historic or cultural resources, 2) flood hazard prevention and mitigation, 3) protection of water and wetland resources, 4) noise construction BMPs to minimize project generated noise, and 5) remediation of toxic or otherwise hazardous materials evident on the targeted properties, and present in construction work areas after testing and assessment are

completed. Applicable mitigation measures would be incorporated into each proposed project. **Section 4.0** summarizes the applicable mitigation measures anticipated.

Given the nature of the proposed construction activities on established NYCHA properties in the damaged residential neighborhoods of NYC’s coastal zone, and the above approach to construction activities, NYC is not anticipating significant adverse effects from NYCHA Public Housing described herein. As the Tier II site-specific ERs progress, NYC does expect certain cases may pose complex and unexpected circumstances where the guidance of local, state, and federal agencies may be warranted to resolve certain compliance factors, and for which site-specific consultation may be undertaken as indicated above. Prior to proceeding with its construction projects, NYCHA anticipates that site-specific measures to mitigate potential effects on the floodplain and wetlands, may be required. Site-specific measures to protect properties from various hazards, such as noise or lead-based paint, may also be required. In summary, the City finds that NYCHA Public Housing will enhance the environmental quality of Hurricane Sandy-damaged neighborhoods and help strengthen the resiliency of its coastal communities.

## 1.6 Evaluation of Effects

Individual actions undertaken by the described NYCHA Public Housing program will provide a safe and secure environment for the City’s lower income households who rely on subsidized housing and are recovering from Hurricane Sandy’s effects on their neighborhoods. The CDBG-DR funds will provide a positive financial impact on these tenant families, their neighborhoods, extended communities, and their City.

As proposed, the described NYCHA Public Housing activities will be performed to repair and strengthen its assets located across the City’s five boroughs as shown in **Exhibit 1: New York City Neighborhoods Damaged by Hurricane Sandy**, most primarily within the FEMA-revised Special Flood Hazard Zone A. NYCHA Public Housing does not meet the requirements of a NEPA Categorical Exclusion and therefore an Environmental Assessment per HUD regulations at 24 CFR Part 58.40 Subpart E shall be prepared for each construction site as described in **Section 2.0** Tiering Plan for ER. This includes a review of the provisions outlined under Parts 58.5 and 58.6.

A Finding of No Significant Impact (FONSI) has been made for the project.

### **NYCHA Public Housing Program Assistance Breakdown of Funding:**

Planning and Administrative costs (10%):	\$12,000,000
Construction Project costs:	\$108,000,000



**Exhibit 2**  
**Exempt Determination Form**

Office of Management and Budget  
255 Greenwich Street, New York City, New York 10007

**Exemption Determination for Activities Listed at 24 CFR §58.34**

**Grant Recipient:** New York City, New York. **Project Name:** CDBG-DR: New York City’s Hurricane Sandy Housing Recovery Program (General Administration and Project Delivery) for NYCHA Public Housing Rehabilitation and Resilience.

**Project Description** (Include all actions which are either geographically or functionally related):  
General Administration and Project Delivery: Reasonable costs of overall program administration activities and project delivery services, including program management, coordination, monitoring, and evaluation of the New York City CDBG-DR program eligible activities to be performed by NYCHA (including install emergency power generators to improve the resiliency of NYCHA’s systems and services at its most vulnerable residential buildings; implement sustainably designed resilience measures at buildings prone to flooding; rehabilitate its community centers; and install and Emergency Operations Center); and for which New York City is performing a Tiered Environmental Review (ER), initiated with a City-wide programmatic ER to be followed by site-specific environmental assessments of proposed projects for compliance with 24 CFR Part 58. The program will prioritize benefits to NYCHA and serve the urgent housing needs of its low income tenant families. Exempt costs include, but are not limited to operating expenses, salaries, wages, and related costs of staff/contractors/consultants engaged in program administration, environmental & other studies, the development of plans, and project delivery services.

**Location:** New York City, New York.

**Funding Source:** **CDBG** HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other

**Estimated Funding Amount:** \$ 12,000,000 **Grant Number:** B-13-MS-36-0001

I have reviewed and determined that the above mentioned project is Exempt per 24 CFR §58.34 as follows:

<input checked="" type="checkbox"/>	58.34(1) Environmental & other studies, resource identification & the development of plans & strategies;
<input checked="" type="checkbox"/>	58.34(2) Information and financial services;
<input checked="" type="checkbox"/>	58.34 (3) Administrative and management activities;
<input type="checkbox"/>	58.34(4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
<input checked="" type="checkbox"/>	58.34(5) Inspections and testing of properties for hazards or defects;
<input checked="" type="checkbox"/>	58.34(6) Purchase of insurance;
<input checked="" type="checkbox"/>	58.34(7) Purchase of tools;
<input checked="" type="checkbox"/>	58.34 (8) Engineering or design costs;
<input checked="" type="checkbox"/>	58.34(9) Technical assistance and training;
<input type="checkbox"/>	58.34(10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
<input type="checkbox"/>	58.34(11) Payment of principal and interest on loans made or obligations guaranteed by HUD;
<input type="checkbox"/>	58.34(12) Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in §58.5.

The responsible entity must also complete and attach the **58.6 Compliance Checklist**. By signing below the responsible entity officially determines in writing that all activities covered by this determination are Exempt and meet the conditions specified for such exemption under section 24 CFR §58.34. This document must be maintained in the ERR.

AUTHORIZED RESPONSIBLE ENTITY OFFICIAL:

  
\_\_\_\_\_  
Authorized Responsible Entity Signature

7/15/13  
\_\_\_\_\_  
Date

Calvin Johnson  
\_\_\_\_\_  
Authorized Responsible Entity Name (printed)

Certifying Officer  
\_\_\_\_\_  
Title (printed)



**Exhibit 3  
HUD Environmental Finding Form**

**CDBG Grantee: Office of Management and Budget on behalf of New York City**

**ACTIVITY DESCRIPTION:** New York City's CDBG - DR activities will include improving the resiliency of NYCHA's systems and services at its most vulnerable residential buildings, rehabilitate its community centers, and implement sustainably designed resilience measures at buildings prone to flooding and for which the City is performing a Tiered Environmental Review (ER), initiated with a City-wide programmatic ER to be followed by site-specific environmental assessments of proposed projects for compliance with 24 CFR Part 58. The Program benefits NYCHA's low income tenant families whose well being and housing needs were affected by Hurricane Sandy damage to their residential facilities impacted on and after October 29, 2012 and for which disaster was Presidentially-declared on October 30, 2012 by FEMA DR-4085.

**THE ENVIRONMENTAL LEVEL OF REVIEW FOR THIS ACTIVITY IS: ENVIRONMENTAL ASSESSMENT AS NOTED BELOW:**

- Exempt (24 CFR Part 58.34), OR**
- Categorically Excluded NOT subject to the §58.5 statutes [24 CFR Part 58.35(b)]**  
Attached documentation for either of the above:
- HUD Environmental Form for Statutes and Regulations at 24 CFR Part 58.6

- Categorically Excluded subject to the §58.5 statutes per 24 CFR Part 58.35(a), but requires no mitigation and *has converted to exempt status* [24 CFR Part 58.34(a)(12)],**

**OR**

- Categorically Excluded subject to the §58.5 statutes [24 CFR Part 58.35(a)], but will require mitigation and, therefore, will not convert.**

Attached documentation for either of the above:

- HUD Environmental Form for Statutes and Regulations at 24 CFR Part 58.6,

**AND**

(Choose either Statutory Worksheet or RER)

- Statutory Worksheet

If the Statutory Worksheet triggers public noticing requirements, also provide:

- Notice of Intent to Request Release of Funds (proof of publication) and
- Request for Release of Funds and Certification (HUD-7015.15 form).

**OR**

- Rehabilitation Environmental Review (RER) form (tiered ERs only).**

RER Appendix A (Parts 3-6) must be completed after the project site is identified and before you proceed with the project. A copy of Appendix A must be kept in the project file.

**The RER requires public noticing, provide:**

- Notice of Intent to Request Release of Funds (proof of publication) and
- Request for Release of Funds and Certification (HUD-7015.15 form)

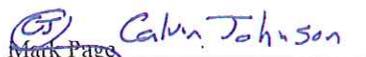
- Environmental Assessment (24 CFR Part 58.36)**

Attached documentation:

- HUD Environmental Form for Statutes and Regulations at 24 CFR Part 58.6
- Environmental Assessment
- Combined Finding of No Significant Impact/Notice of Intent to Request Release of Funds (proof of publication)
- Request for Release of Funds and Certification (HUD-7015.15 form)

- Environmental Impact Statement (24 CFR Part 58.37). Contact a CDBG Representative.**

  
\_\_\_\_\_  
Certifying Officer Signature

  
Mark Page  
\_\_\_\_\_  
Print Name

7/15/13  
\_\_\_\_\_  
Date Certified

## 2.0 TIERING PLAN FOR ENVIRONMENTAL REVIEW

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The NYCHA Public Housing program will be functionally tiered for the ER process in accordance with HUD tiering regulations at 24 CFR Part 58.15 because actual project activities have yet to be determined for each site. A tiered approach allows the ER process to be streamlined by evaluating impacts of functionally and geographically aggregated activities.

The NYC CDBG-DR Partial Action Plan A and Method of Distribution (May 10, 2013) details its plans to allocate and distribute funds as described in **Section 1.0**. The activities require an Environmental Assessment (EA) per HUD regulations at 24 CFR Part 58.40 Subpart E at the Tier II site-specific level once the addresses are known. The geographical scope of this Tiering Plan includes the Hurricane-Sandy NYCHA public facilities in damaged neighborhoods of NYC, which are primarily located within the areas inundated by the storm and coincident with high tide and strong winds that are depicted in **Exhibit 1: New York City Neighborhoods Damaged by Hurricane Sandy**. Its functional scope addresses the specific ER requirements of NYCHA public facilities that serve its thousands of tenant families.

For the ERR, this Tier I ER for NYCHA Public Housing has been performed by HRO in support of NYCHA, the agency that will perform the Tier II site specific environmental assessments. Site-specific ER procedures and policies will be drafted in support of the project's overall funding and implementation and will be approved by the RE.

### 2.1 Tier I Environmental Review:

In general, the Tier I ER defines a proposed program's action-area, describes the proposed activities, and helps identify potential environmental effects of these activities on NEPA compliance factors, executive orders (EO), HUD environmental standards, and action-area wide issues of concern (i.e., land use zoning). Since housing project locations are often scattered and not precisely identified at this level of review for CDBG-DR programs, the potential environmental effects cannot be evaluated at the site-specific level. Nonetheless, the Tier I analysis can generally describe the environmental conditions and factors that must be considered during execution of a program. The Tier I ER should provide sufficient level of detail so that it supports a FONSI for the CDBG-DR funded program to be implemented. It may help eliminate or minimize unnecessary and repetitive evaluation of certain compliance factors prior to the Tier II site-specific EAs of individual construction project sites once they are identified. The site-specific assessment will verify the Tier I findings applicable to an individual site, and provide sufficient documentation about the target property, the proposed construction project and selected mitigation measures appropriate to achieve environmental compliance with NEPA factors and HUD Environmental Standards.

This Tier I ER publication describes the action-area targeted by NYCHA Public Housing. It provides a basic profile of the proposed rehabilitation and resilience activities relative to required compliance factors, as presented in the Statutory Checklist and the Environmental Assessment Checklist (**Section 6.0**) This level of review evaluates impacts of the proposed activities in an aggregated way as determined by the potential for impacts relative to the protected or regulated resources and HUD Environmental Standards. Where possible, this level of review has resulted in a FONSI for certain compliance factors so that further ER at the site-specific level may not be necessary (**Section 7.0**). It has also identified the potential for environmental impacts to several compliance factors to be evaluated during site-specific EA, which must be completed before individual projects can be environmentally cleared to proceed by HUD. Tables and figures prepared to support the Tier 1 analysis of environmental compliance factors are presented in Appendix A. Agency consultations conducted in support of the Tier 1 analysis are presented in Appendix B. As part of this Tier I ER, the eight-step floodplain and wetland decision-making process described in **Section 3.1** includes Public Involvement with the Early and Final Notices for Proposed Activities in the Floodplain and Wetlands, which were published for comment by the public and interested parties prior to funding and execution of NYCHA Public Housing. The Tier I ER helps the City to understand the scope of applicable mitigation measures to potentially be selected for projects (**Section 4.0**) and includes a Compliance Documentation Checklist per 24 CFR §58.6 and other requirements has been developed as presented in **Section 5.0**. This evaluates NYCHA Public Housing compliance relative to the Flood Disaster Protection Act, the National Flood Insurance Reform Act, the Coastal Barrier Improvement Act, and Runway Clear Zones and Accident Potential Zones. The Early and Final Notices for Proposed Activities in the Floodplain are presented in **Section 3.2, Exhibits 3 and 4**. The Tier I ER of the program is summarized in the first Statutory Environmental Assessment Checklist presented in **Section 6.0**. It presents the Tier I level findings for the listed statutes by assessing the potential for effects of activities on protected resources, identifies impact categories, as well as the type and degree of impacts anticipated, selects those statutes and standards for which proposed activities should be evaluated at the Tier II site-specific level to assess environmental conditions and thus, determine appropriate mitigation or modification measures to be required.

**Section 8.0** presents the Combined FONSI and Notice of Intent to Request Release of Funds (NOIRROF). In accordance with the HUD interagency memorandum dated December 11, 2012 the City has proceeded with the area-wide emergencies and condensed comment periods compliance process for NYCHA Public Housing, allowing these two public notices to be published together on the same date in order to expedite the periods for public comment on these notices and for objections to be received by HUD. This publication further includes the Resigned HUD Form 7015.15 used to formally request the Release of CDBG-DR funds (**Section 9.0**). HUD Form 7015.16, which is used to formally authorize the use of CDBG-DR grant funds is incorporated into **Section 10.0**, once approved by HUD.

## 2.2 Tier II ER or Site-Specific Environmental Review

Impact findings made for the Tier I ER of NYCHA Public Housing have determined compliance for a number of statutory and HUD compliance factors. Nonetheless, compliance cannot be achieved for all factors at this time. Therefore, a Tier II site specific ER for NYCHA Public Housing will be carried out for each proposed construction activity to address these remaining unresolved compliance factors. A site-specific compliance documentation checklist has been developed for NYCHA Public Housing, and is presented in **Section 7.1**. The following compliance factors will be analyzed for each site-specific activity:

- Preservation of Historical and Cultural Resources
- Floodplain Management
- Wetlands Protection
- Toxic Chemicals and Radioactive Materials
- Fish and Wildlife Coordination
- Agriculture and Markets – Management of Invasive Species

Site-specific reviews will include evaluation of the application, the proposed site activity, and its location relative to the above compliance factors. Reviews will include direct field observation with photographs, measurements, and notes for the file, as well as possible resource agency consultations. If there are no impacts identified, or if impacts will be fully mitigated through individual site actions, then the proposed NYCHA Public Housing project proposed for a development site will proceed without further notice to the public. If impacts cannot be identified and mitigated during the site-specific reviews, then that site may be subject to further studies, treated as a separate project, and subject to agency consultations, and the ER process may require the publishing or posting of notices for that individual site.

On behalf of NYCHA, the City's HRO will submit each completed site-specific checklist and supporting documents to OMB for review and approval before individual activity site work or construction begins. OMB will issue a notice of environmental clearance for each project, although these may be issued in groups to reduce paperwork. All steps of the ER process will be completely documented at the site-specific level before the construction activity proceeds.

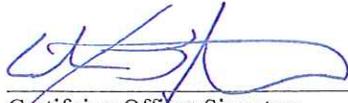
The completed Tier I ER, along with site-specific checklists and supporting documents for each proposed construction project, will be developed and maintained in the ERR. In accordance with public involvement requirements and HUD's expedited review criteria applicable to the Hurricane Sandy emergency, the FONSI/NOIRROF was published for comment by the public and interested parties, and during which time HUD will accept objections to the Request for the Release of Funds (RROF). At the end of the 15-day comment and objection period, the OMB will submit a RROF and Certification to HUD, after which HUD is expected to issue the Authority to Use Grant Funds (AUGF).

Upon written request, the ERR will be available for review by contacting either:

Calvin Johnson  
Office of Management and Budget  
255 Greenwich Street  
New York, NY 10007

Scott Davis  
HUD, Disaster Recovery Office  
Jacob K. Javits Federal Bldg.  
26 Federal Plaza  
New York, NY 10278

NYC Approved:

  
\_\_\_\_\_  
Certifying Officer Signature

Calvin Johnson  
\_\_\_\_\_  
Printed Name

7/15/13  
\_\_\_\_\_  
Date

### 3.0 BROAD EIGHT-STEP DECISION MAKING PROCESS FOR ACTION IN THE FLOODPLAIN AND WETLANDS, AND PUBLICATIONS (EARLY AND FINAL)

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In support of this **Section 3.0**, **Appendix A Figure 2-1** exhibits the flood hazard zones of NYC, while **Figure 2-2** shows them in relation to NYCHA housing facilities. This section describes how the eight (8)-step decision making process is applied for NYCHA Public Housing action in the floodplain and wetlands in accordance with EOs 11988 and 11990, respectively.

#### 3.1 Eight- Step Decision Making Process for Proposed Action in the Floodplain and Wetlands

##### § 55.20 Decision Making Process

The decision making process for compliance with this 24 CFR part 55.20 contains eight steps, including public notices and an examination of practicable alternatives. The steps to be followed in the decision making process are:

*(a) Step 1.* Determine whether the proposed action is located in a 100-year floodplain (or a 500-year floodplain for a Critical Action). If the proposed action would not be conducted in one of those locations, then no further compliance with this part is required.

**NYCHA Public Housing:** The proposed action is anticipated to provide federal assistance to NYCHA, enabling this agency to make permanent repairs to its residential facilities damaged by Hurricane Sandy, and to implement measures that make these more resilient to future flood events. This 8-Step Decision-Making Process only applies to those NYCHA residential facilities situated partially or wholly within the FEMA-designated 100-year floodplain. However, the floodplain boundaries have been undergoing re-evaluation by FEMA since before Hurricane Sandy. In January 2013, FEMA issued ABFE guidance to assist NYC planning for Hurricane Sandy DR based on the Best Available Data defining 100 and 500-year floodplains; since then, on June 10, 2013, FEMA released the preliminary work maps, which are presented in **Appendix A Figure 2-1**. **Figure 2-2** also displays the location of NYCHA facilities (public housing and community centers). The revised 100-year floodplain of NYC includes Flood Zones AE and VE that represent approximately 15.8% (48 square miles) of the City's territory. No critical housing actions are anticipated in the 500-year floodplain.

Since first releasing updated flood maps and designated new Advisory Flood Hazard Zones and ABFEs on January 28, 2013, FEMA has provided further updates, the most recent being the June 10, 2013 preliminary work maps available at [www.region2coastal.com/bestdata](http://www.region2coastal.com/bestdata). The Advisory 1% annual chance floodplain includes both AE and VE Advisory Flood Hazard Zones. Advisory Zone VE is comprised of the area subject to high velocity wave action (a 3-foot breaking wave)

from the 1% annual chance coastal flood. Zone VE is subject to more stringent building requirements than other zones because these areas are exposed to a higher level of risk. Advisory Zone AE is comprised of the area subject to storm surge flooding from the 1% annual chance coastal flood. These areas are not subject to high velocity wave action, but are still considered high risk flooding areas. All projects proposed for funding under CDBG-DR which are located within Advisory Flood Zones AE and VE will be restricted from building footprint expansions and must participate in the NFIP.

NYCHA is advised about the hazards to its tenant families living in floodplains. Furthermore, it advises residents regarding emergency preparedness and each housing facility has an emergency plan with an evacuation program.

(b) Step 2. Notify the public at the earliest possible time of a proposal to consider an action in a floodplain (or in the 500-year floodplain for a Critical Action), and involve the affected and interested public in the decision making process.

(1) The public notices required by paragraphs (b) and (g) of this section may be combined with other project notices wherever appropriate. Notices required under this part must be bilingual if the affected public is largely non-English speaking. In addition, all notices must be published in an appropriate local printed news medium, and must be sent to federal, state, and local public agencies, organizations, and, where not otherwise covered, individuals known to be interested in the proposed action.

(2) A minimum of 15 calendar days shall be allowed for comment on the public notice.

(3) A notice under this paragraph shall state: the name, proposed location and description of the activity; the total number of acres of floodplain involved; and the HUD official and phone number to contact for information. The notice shall indicate the hours and the HUD office at which a full description of the proposed action may be reviewed.

An early public notice (**Exhibit 4**) describing NYCHA Public Housing actions in the floodplain was published in the eight required NYC publications on May 21, 2013 and complied with the 15-day minimum requirement for public comment per 24 CFR 55.20(b)(2). Published in English, Chinese, Spanish and Russian languages, this notice served to inform and update interested agencies, groups, and individuals of the proposed CDBG-DR funded activities that may occur in the floodplain, thus engaging the public in the decision-making process. A final public notice (**Exhibit 5**) describing the decision-making process for performing project activities in the floodplain and wetlands was also published in the four languages in the eight required NYC publications on June 14, 2013 after NYC and HUD considered any comments received after the early public notice about proposed action in the floodplain and wetlands. The final public notice also complied with the 7-day minimum public comment period.

I Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain (or the 500-year floodplain for a Critical Action).

(1) The consideration of practicable alternatives to the proposed site or method may include:

(i) Locations outside the floodplain (or 500-year floodplain for a Critical Action);

(ii) Alternative methods to serve the identical project objective; and

(iii) A determination not to approve any action.

For this Tier I ER NYCHA Public Housing has considered the following alternatives to locating the proposed activities within the floodplain:

***No Action Alternative.*** Under the no-action alternative, neither permanent repairs nor resiliency measures would be funded by CDBG-DR or implemented for NYCHA residential buildings as described in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent power equipment solutions, NYCHA's targeted 100 residential buildings in the Special Flood Hazard Zone AE would remain vulnerable to flooding. When these systems are not in service NYCHA's tenant families are subject to disruption. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, and become less functional.

***Limited Action Alternative.*** A limited action alternative to use CDBG-DR funds only to complete permanent repairs to NYCHA's residential buildings damaged by Hurricane Sandy has been considered. This action would at least restore the buildings and system services to their pre-hurricane condition. While this action would enable the buildings to serve their purpose until the next flooding event, NYCHA's tenant families would remain vulnerable to future storm forces. NYCHA would again incur emergency response costs to serve its tenant population while making essential repairs. Due to FEMA's recognized expansion of the Special Flood Hazard Zone AE, additional NYCHA buildings and tenant families would be vulnerable to storm forces. The City considers that the potential risk for cyclic and costly emergencies for NYCHA is unacceptable, particularly given the large residential population it serves and current understanding of how climate change conditions may produce future extreme storm events.

***Proposed Action Alternative.*** The City proposes to use CDBG-DR funds to make permanent repairs to NYCHA's residential buildings, making improvements to the City's 90 Community Centers in Flood Zone AE, while preserving these critical investments by making them resilient to future storm forces. An important portion of the funds will be specifically applied towards rehabilitation and/or replacement of critical building systems to restore these to pre-storm conditions. Additional funds will be applied towards the purchase of energy efficient generators or generating systems, as appropriate, to reduce vulnerability to the loss of critical services during emergency conditions. These systems will be sustainably designed, and installed above the BFE as required by FEMA, thus making these and the buildings they serve more resilient, as

well as promoting the preservation of the City's vital public housing assets. Additional funds would help establish a new Emergency Operations Center and a standard ICS.

As indicated above, flood hazard prevention and mitigation measures for NYCHA facilities situated in the floodplain include relocation of vulnerable building systems to one-foot above FEMA's established BFE and installation of new power generators or generation systems at the same applicable elevation, based on the Best Available Data. These measures will help avoid disruption to thousands of NYCHA's tenant families during future storm events. NYCHA will participate in the National Flood Insurance Program (NFIP) to protect investments in its facilities.

Wetland protection measures include no direct impacts to wetlands or watercourses under this ER and standard construction BMPs to minimize effects on water quality and wetland habitat from construction activities that could otherwise be impacted by uncontrolled stormwater runoff from project sites. In addition, a State Pollutant Discharge Elimination System (SPDES) permit may be required for construction sites with more than one acre of earth disturbance.

(2) In reviewing practicable alternatives, the Department or a recipient subject to 24 CFR Part 58 shall consider feasible technological alternatives, hazard reduction methods and related mitigation costs, and environmental impacts.

For the proposed NYCHA Public Housing program feasible technological alternatives have been considered as flood hazard reduction methods. Related mitigation costs associated with rehabilitation and resilience activities to be performed at residential facilities located in the floodplains have been incorporated into the proposed action.

*(d) Step 4.* Identify the potential direct and indirect impacts associated with the occupancy or modification of the floodplain (or 500-year floodplain for a Critical Action).

NYCHA Public Housing has evaluated the alternatives to conducting action in the floodplains and wetlands, and has determined the proposed action must make allowance for some potential construction activities to occur here. NYCHA will therefore ensure that its facilities situated within the regulated floodplain will implement required mitigation and that flood insurance is carried on these residential properties in accordance with EO11988 and as interpreted in 24 CFR Part 55.

Direct and indirect environmental impacts on NYCHA properties from proposed construction activities will be minimal as they are directed to repairs of existing facilities and the installation of new, sustainably designed power generation systems. However, NYCHA Public Housing recognizes that construction projects executed without adequate mitigation measures could trigger storm water runoff and soil erosion by various forces and, not only threaten water quality, but impact nearby wetland habitats. Per site-specific environmental mitigation requirements,

construction activities in or near the vicinity of wetlands will therefore be restricted to the minimum area required to safely complete the project and standard construction BMPs for storm water management will be used to avoid indirect impacts to surface water and dependent natural resources.

(e) Step 5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts within the floodplain (including the 500-year floodplain for a Critical Action) and to restore and preserve its natural and beneficial values. All critical actions in the 500-year floodplain shall be designed and built at or above the 100-year floodplain (in the case of new construction) and modified to include:

- (1) Preparation of and participation in an early warning system;
- (2) An emergency evacuation and relocation plan;
- (3) Identification of evacuation route(s) out of the 500-year floodplain; and
- (4) Identification marks of past or estimated flood levels on all structures.

The City has designed services for an early flood hazard warning system, and has established an emergency evacuation and relocation plan for residents living in NYCHA residential facilities that are located within the floodplain.

(f) Step 6. Reevaluate the proposed action to determine:

- (1) Whether it is still practicable in light of its exposure to flood hazards in the floodplain, the extent to which it will aggravate the current hazards to other floodplains, and its potential to disrupt floodplain values; and
- (2) Whether alternatives preliminarily rejected at Step 3 (paragraphs (c)) of this section are practicable in light of the information gained in Steps 4 and 5 (paragraphs (d) and (e)) of this section.

For the proposed NYCHA Public Housing, the City has considered the following to mitigate and minimize adverse impacts from floodplain occupancy and to preserve the benefits of floodplains and wetlands: 1) new equipment will be installed to support resilience measures at the BFEs identified in the preliminary work maps +1 or FEMA's published P-FIRM for the area that may indicate a different elevation requirement; 2) critical NYCHA residential building systems will be relocated to the BFEs identified in the preliminary work maps +1 or FEMA's published P-FIRM for the area that may indicate a different elevation requirement; 3) flood insurance will be continuously maintained for each public residential facility. NYCHA residential facilities situated in the 500-year floodplain are also recommended to maintain flood insurance to protect

these vital assets. Also, per site-specific hazard mitigation requirement, appropriate storm water management and soil erosion controls will apply during construction to protect water quality and wetland habitat.

(g) *Step 7.*

(1) If the reevaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain (or the 500-year floodplain for a Critical Action), publish a final notice that includes:

(i) The reasons why the proposal must be located in the floodplain;

(ii) A list of the alternatives considered; and

(iii) All mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values.

(2) In addition, the public notice procedures of § 55.20(b)(1) shall be followed, and a minimum of 7 calendar days for public comment before approval of the proposed action shall be provided.

Neither the No Action Alternative or the Limited Action Alternative would serve more than the immediate needs of NYCHA to restore its housing facilities to pre-Hurricane Sandy conditions. These alternatives are unacceptable given the large population of low-income tenant families served by NYCHA's residential facilities across the City who would be vulnerable to repeated disruption of their lives under future flooding events. Therefore, proposed action includes important measures to secure the resilience of building systems and utility services during future storms.

Tier I environmental analysis for this project indicates there will be no changes to broad environmental conditions that existed prior to Hurricane Sandy. This is primarily because neither land use or population densities would change, the rehabilitation efforts and the resilience measures would comply with current code and make NYCHA residential facilities less vulnerable to certain hazards, if not more resilient to future extreme weather events. Possible minor adverse impacts from proposed construction activities were identified for ambient noise levels, air quality, solid waste, traffic volume, and storm water runoff. These temporary impacts were identified and determined to be limited to the period of construction activity. These results indicate a FONSI on the human environment from the proposed project. Site-specific EA will help determine potential impacts, beyond the temporary ones noted above, to the target and adjacent properties for the following impact categories: historic and cultural resources, floodplains, wetlands, coastal zone management, and toxic or radioactive materials. The impacts for these categories are expected to be minor given the environmental mitigation measures that would be selected for implemented, and which are summarized in **Section 4.0**.

(h) Step 8. Upon completion of the decision making process in Steps 1 through 7, implement the proposed action. There is a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented.

NYC and HUD will ensure that flood prevention and measures to mitigate impacts on the floodplain and wetlands identified in Step 7 are implemented for NYCHA Public Housing activities.

### **3.2 Early and Final Publications for Proposed Action in the Floodplain and Wetlands**

See the following exhibits:



## Exhibit 4

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

**To:** All Interested Agencies, Groups, and Individuals

This is to give notice that The City of New York is proposing to undertake activities within a 100-year floodplain relating to the U.S. 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 by Section 2(b) of EO 11990 for the 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 a floodplain or wetland.

Projects funded with CDBG-DR would be located in areas of impact from Hurricane Sandy throughout the five Boroughs of New York City. The City anticipates that most of the grant will be targeted toward reconstruction or rehabilitation activities designed to help victims of Hurricane Sandy – including homeowners and tenants of rental properties - achieve permanent, sustainable housing solutions that allow them to remain in New York City – returning to their neighborhoods, where possible.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The City's Action Plan, approved by HUD details how the City's housing agencies will utilize the housing portion of this first allocation, including how it will leverage other funding sources to address areas of unmet need. The City will have a single program with several permanent housing recovery paths that maximize coordination across agencies.

Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.

In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure (ICS) based system, and rehabilitating a total of 90 Community Centers located in Zone A.
- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resiliency and mitigation measures (i.e., raised boilers and electrical switch gear) to all buildings in the new Zone A.

Targeted properties are limited to NYCHA public housing facilities. The proposed activities propose no change in use or density. The targeted properties may include:

Borough	Development	Management Office Address	Acreage
Brooklyn	Carey Gardens	2955 West 24th Street	8.37
Brooklyn	Coney Island	2940 West 31st Street	6.86
Brooklyn	Coney Island I (Site 1b)	2955 West 24th Street	2.14
Brooklyn	Coney Island I (Site 8)	2959 West 33rd Street	1.41
Brooklyn	Coney Island I (Sites 4 & 5)	2940 West 31st Street	4.30
Brooklyn	Gravesend	2959 West 33rd Street	12.41
Brooklyn	Haber	2955 West 24th Street	3.09
Brooklyn	Marlboro	2740 86th Street	34.86
Brooklyn	O'dwyer Gardens	2959 West 33rd Street	6.34
Brooklyn	Red Hook East	62 Mill Street	19.65
Brooklyn	Red Hook West	55 Dwight Street	19.32
Brooklyn	Surfside Gardens	2940 West 31st Street	7.42
Manhattan	335 East 111th Street	300 East 115th Street	0.46
Manhattan	Baruch	100 Columbia Street	27.46
Manhattan	Campos Plaza I	633 East 13th Street	2.25
Manhattan	Campos Plaza II	633 East 13th Street	2.14
Manhattan	Dyckman	215 Nagle Avenue	14.09
Manhattan	East 120th Street Rehab	2396 1st Avenue	0.20
Manhattan	East River	418 East 105th Street	11.77
Manhattan	Holmes Towers	403 East 93rd Street	2.81
Manhattan	Isaacs	403 East 93rd Street	3.49
Manhattan	Jefferson	300 East 115th Street	17.38
Manhattan	Lavanburg Homes	126 Baruch Place	0.53
Manhattan	Lincoln	2142 Madison Avenue	12.67
Manhattan	Lower East Side II	640 East 5th Street	3.85
Manhattan	Lower East Side III	722 East 9th Street	0.98
Manhattan	Lower East Side Rehab (Group 5)	640 East 5th Street	0.41
Manhattan	Metro North Plaza	418 East 105th Street	2.29
Manhattan	Polo Grounds Towers	2975 F Douglass Boulevard	15.15
Manhattan	Riis	454 East 10th Street	11.73
Manhattan	Riis II	454 East 10th Street	5.94
Manhattan	Smith	21 Saint James Place	21.75
Manhattan	Two Bridges Ura (Site 7)	250 Madison Street	0.73
Manhattan	Wagner	2396 1st Avenue	26.91
Manhattan	Wald	54 Avenue D	16.46
Manhattan	White	418 East 105th Street	0.81
Manhattan	Wilson	418 East 105th Street	3.06
Queens	Astoria	4-20 Astoria Boulevard	32.30
Queens	Beach 41st Street-Beach Channel Drive	38-20 Beach Channel Drive	13.31
Queens	Carleton Manor	85-10 Rockaway Beach Boulevard	3.33
Queens	Hammel	85-10 Rockaway Beach Boulevard	14.16
Queens	Ocean Bay Apartments (Bayside)	434 Beach 54th Street	32.33
Queens	Ocean Bay Apartments (Oceanside)	319 Beach 54th Street	8.13
Queens	Redfern	14-56 Beach Channel Drive	18.78

Under the CDBG-DR program, rehabilitation and/or resilience efforts to preserve housing and address future flood risk at NYCHA public housing developments will be undertaken in the 100-year floodplain and in wetlands. 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.

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 Str<sup>ect</sup>, 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](http://www.region2coastal.com). 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. 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](mailto:CDBGDR-enviro@omb.nyc.gov). The minimum 15 calendar day comment period will begin the day after the publication and end on <sup>th</sup>e 16th day after the publication. Such comments should be received by OMB on or before June 6, 2013.

City of New York, Office of Management and Budget, Mark Page, Director.

*Date: May 21, 2013*

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COUNTY OF NEW YORK

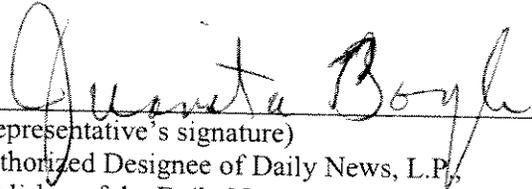
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24 day of June 2013

  
Public Notary

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Notary Public, State of New York  
No. 01FR6239835  
Qualified in Queens County  
Commission Expires April 25, 2015

**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
NEW YORK CITY HOUSING AUTHORITY  
COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM  
EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR  
FLOODPLAIN AND WETLANDS**

To: All interested Agencies, Groups, and Individuals

This is to give notice that The City of New York is proposing to undertake activities within a 100-year floodplain 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 112-20, into law on January 29, 2013. Among other appropriations, the Act included \$18 billion of 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 214(a) of Executive Order 11980 for Floodplain Management, and by Section 2(b) of Executive Order 11990 for the 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 a floodplain or wetland.

Projects funded with CDBG-DR would be located in areas of impact from Hurricane Sandy throughout the five Boroughs of New York City. The City anticipates that most of the grant will be targeted toward reconstruction or rehabilitation activities designed to help victims of Hurricane Sandy, including homeowners and tenants or rental properties, achieve permanent, sustainable housing solutions that allow them to remain in New York City, returning to their neighborhoods, where possible.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of the total, the City has allocated \$848 million in funding for assistance to address the various unmet housing needs it has identified thus far. The City's Action Plan approved by HUD details how the City's housing agencies will utilize the housing portion of this first allocation, including how it will leverage other funding sources to address areas of unmet need. The City will have a single program with several permanent housing recovery paths that maximize coordination across agencies.

Of the initial \$848 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways, stairwells, public spaces, building lobbies, trash compactors, and critical water heating and domestic hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.

In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure (ICS) based system, and rehabilitating a total of 90 Community Centers located in Zone A
- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resilience and mitigation measures (i.e. raised boilers and electrical switch gear) to all buildings in the new Zone A

Targeted properties are limited to NYCHA public housing facilities. The proposed activities propose no change in use or density. The targeted properties may include:

BOROUGH	DEVELOPMENT	MANAGEMENT OFFICE ADDRESS	ACREAGE
BROOKLYN	CAREY GARDENS	136 WEST 24TH STREET	8.37
BROOKLYN	COONEY ISLAND	1340 WEST 31ST STREET	6.96
BROOKLYN	COONEY ISLAND I (SITE B)	1366 WEST 24TH STREET	2.14
BROOKLYN	COONEY ISLAND I (SITE B)	1366 WEST 24TH STREET	1.41
BROOKLYN	COONEY ISLAND I (SITES 4 & 5)	1340 WEST 31ST STREET	4.30
BROOKLYN	GRAVESEND	1366 WEST 33RD STREET	12.41
BROOKLYN	HABER	1366 WEST 24TH STREET	1.00
BROOKLYN	MAPLEBORO	2740 96TH STREET	14.96
BROOKLYN	O'DWYER GARDENS	1366 WEST 33RD STREET	5.34
BROOKLYN	RED HOOK EAST	72 MILL STREET	19.65
BROOKLYN	RED HOOK WEST	15 DWIGHT STREET	19.32
BROOKLYN	RED HOOK WEST	1340 WEST 31ST STREET	1.10
MANHATTAN	335 EAST 111TH STREET	300 EAST 115TH STREET	1.46
MANHATTAN	BARUCH	170 COLUMBIA STREET	27.48
MANHATTAN	CAMPOS PLAZA I	123 EAST 13TH STREET	0.25
MANHATTAN	CAMPOS PLAZA II	233 EAST 13TH STREET	2.14
MANHATTAN	DYCKMAN	215 WEST 179TH STREET	14.09
MANHATTAN	EAST 120TH STREET REHAB	7386 1ST AVENUE	6.20
MANHATTAN	EAST RIVER	418 EAST 165TH STREET	11.77
MANHATTAN	HOLMES TOWERS	403 EAST 39RD STREET	2.81
MANHATTAN	SAACS	412 EAST 39RD STREET	1.49
MANHATTAN	JEFFERSON	100 EAST 115TH STREET	17.38
MANHATTAN	LAVANBURG HOMES	126 BARUCH PLACE	1.53
MANHATTAN	LINDOLN	2142 WEST 179TH STREET	12.67
MANHATTAN	LOWER EAST SIDE II	640 EAST 15TH STREET	3.85
MANHATTAN	LOWER EAST SIDE III	722 EAST 10TH STREET	2.98
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	640 EAST 5TH STREET	0.41
MANHATTAN	METRO NORTH PLAZA	418 EAST 165TH STREET	2.23
MANHATTAN	POLG GROUNDS TOWERS	1975 F DOUGLASS BOULEVARD	15.15
MANHATTAN	RHS	154 EAST 10TH STREET	11.73
MANHATTAN	RHS II	154 EAST 10TH STREET	5.94
MANHATTAN	SOUTH	21 SAINT JAMES PLACE	21.75
MANHATTAN	TWO BRIDGES (PHASE 7)	250 MADISON STREET	1.72
MANHATTAN	WAGNER	1380 1ST AVENUE	6.91
MANHATTAN	WALD	54 AVENUE D	16.48
MANHATTAN	ZARTE	418 EAST 165TH STREET	1.81
MANHATTAN	WILSON	418 EAST 165TH STREET	1.36
QUEENS	1ST FLOOR	1-20 ASTOR BOULEVARD	62.30
QUEENS	BEACH 41ST STREET-REACH/HANWEL DRIVE	38-20 BEACH 41ST STREET DRIVE	13.51
QUEENS	CARLETON MANOR	35-10 ROCKAWAY BOULEVARD	1.53
QUEENS	HANWEL	35-10 ROCKAWAY BEACH BOULEVARD	14.18
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	134 BEACH 54TH STREET	22.33
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	119 BEACH 54TH STREET	3.13
QUEENS	REDFERN	14-58 BEACH CHANNEL DRIVE	13.18

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City of New York, Office of Management and Budget, Mark Page, Director

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City of New York, Office of Management and Budget, Mark Page, Director  
May 21, 2013

**State of New York** | SS:  
COUNTY OF NEW YORK

Jillian Passione being duly sworn,  
says that he/she is the principal Clerk of the Publisher  
of the

## *New York Post*

a daily newspaper of general circulation printed and  
published in the English language, in the County  
of New York, State of New York; that advertisement  
hereto annexed has been regularly published in  
the said "NEW YORK POST" once,  
on the 21 day of MAY 2013

Jillian Passione

Sworn to before me this 21 day

of June 2013

Byron Stevens  
**NOTARY PUBLIC**

BYRON STEVENS  
Notary Public, State of New York  
No. 01ST8117803  
Qualified in New York County  
Commission Expires November 1, 2018

**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
NEW YORK CITY HOUSING AUTHORITY  
COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM  
EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR  
FLOODPLAIN AND WETLANDS**

To: All Interested Agencies, Groups, and Individuals

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Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.

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City of New York, Office of Management and Budget, Mark Page, Director.  
Date: May 21, 2013

# NEWSDAY

## AFFIDAVIT OF PUBLICATION

Legal Notice No. 17089008

STATE OF NEW YORK

MILLER ADVERTISING  
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COUNTY OF SUFFOLK

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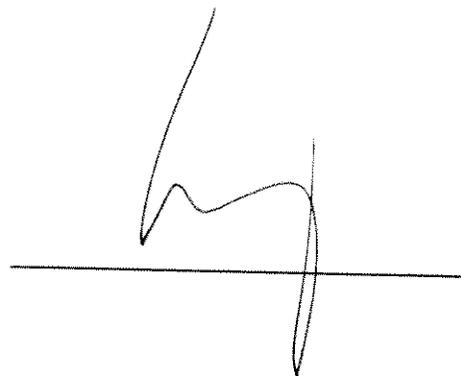
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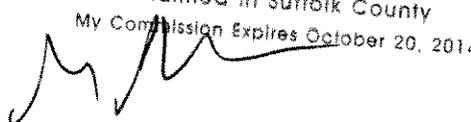
on the following date(s):

May 21<sup>st</sup> 2013

SWORN to before me this  
21<sup>st</sup> Day of June 2013



GUY P WASSER  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01WA6045924  
Qualified in Suffolk County  
My Commission Expires October 20, 2014



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**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM  
EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR  
FLOODPLAIN**

To: All Interested Agencies, Groups, and Individuals:

This is to give notice that The City of New York is proposing to undertake activities within a 100-year floodplain 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 11988 for Floodplain Management and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a floodplain.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains 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. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains 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, 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.

Projects funded with CDBG-DR would be located in areas of impact from Hurricane Sandy throughout the five Boroughs of New York City. The City anticipates that most of the grant would be targeted toward rehabilitation or reconstruction activities designed to help victims of Hurricane Sandy, including homeowners and tenants of rental properties to achieve permanent, sustainable housing solutions that allow them to remain in New York City, and return to their neighborhoods where possible.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. Of the initial \$648 million of CDBG-DR allocated to housing, \$306 million would be provided for the recovery path known as "NYC Houses Rehabilitation and Reconstruction" which targets the rehabilitation and reconstruction of single-family homes with 1 - 2 units that are either owner-occupied or occupied by year-round tenants. This category also includes 3 - 4 unit buildings occupied by the owner. Owners of these properties who are present in the U.S. and New York City and had their home impacted by Hurricane Sandy are potentially eligible for program. Landlord-owned buildings that are 3-4 units will be addressed by the Multi-family Building rehabilitation assistance and are not covered under this notice. The City will offer three core paths to provide different assistance types to eligible applicants of the program that fall into one of the following three categories:

- Reconstruction: Residential property that has been destroyed or is not practical to rehabilitate;
- Major rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the program team; and
- Moderate Rehabilitation: Residential property that was damaged by Sandy, but is not destroyed and does not have substantial damage as determined by the program team.

Under the CDBG-DR program, rehabilitation and reconstruction of storm damaged residential properties may be undertaken in the 100-year floodplain. The FEMA Advisory Special Flood Hazard Zone (A and V) comprises approximately 61 square miles (20%) of NYC territory. Details by borough follow:

- Bronx 5.66 square miles (3,622 acres)
- Brooklyn 15.20 square miles (9,728 acres)
- Manhattan 4.65 square miles (2,976 acres)
- Queens 21.79 square miles (13,946 acres)
- Staten Island 13.70 square miles (8,768 acres)

Applicants receiving CDBG-DR construction assistance for their residential properties partially or wholly situated within the 100-year floodplain will be required to participate in the National Flood Insurance Program (NFIP).

NYC does not anticipate critical actions within the additional approximate 18 square miles (5.9%) of territory located in the 500-year floodplain. Details by borough follow:

- Bronx 1.07 square miles (685 acres)
- Brooklyn 6.57 square miles (4,209 acres)
- Manhattan 1.40 square miles (896 acres)
- Queens 7.20 square miles (4,608 acres)
- Staten Island 1.97 square miles (1,261 acres)

The City will strongly encourage that homes situated here to participate in the NFIP.

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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 10:00 AM to 5:00 PM or using the following link <http://www.nyc.gov/html/housing/recovery> and then clicking on "Public Notices". To review the floodplain maps of the affected sites, visit [www.region2coastal.com](http://www.region2coastal.com). 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. 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 June 6, 2013.

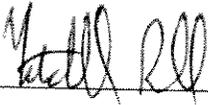
City of New York, Office of Management and Budget, Mark Page, Director.  
Date: May 21, 2013

**AFFIDAVIT OF PUBLICATION**

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**STATE OF NEW YORK  
COUNTY OF NEW YORK**

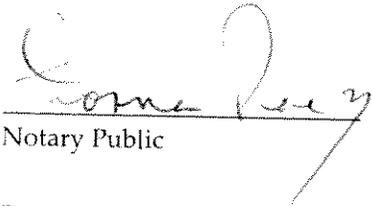
Mitch Bell, being duly sworn hereby declares and says, that he is the Advertising Account Executive responsible for placing the attached advertisement in: Rockaway Wave for Miller Advertising Agency, Inc; located in New York, NY, and that the City of New York - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetlands advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date: May 24, 2013



Mitch Bell

**Subscribed to and Sworn before me**

This 21st day of June, 2013



Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
NEW YORK CITY HOUSING AUTHORITY  
COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM  
EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR  
FLOODPLAIN AND WETLANDS**

Page 57 - THE WAVE, ROCKAWAY BEACH, N.Y., FRIDAY, MAY 24, 2013

To: All Interested Agencies, Groups, and Individuals

This is to give notice that The City of New York is proposing to undertake activities within a 100-year floodplain 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 11988 for Floodplain Management, and by Section 2(b) of Executive Order 11990 for the 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 a floodplain or wetland.

Projects funded with CDBG-DR would be located in areas of impact from Hurricane Sandy throughout the five Boroughs of New York City. The City anticipates that most of the grant will be targeted toward reconstruction or rehabilitation activities designed to help victims of Hurricane Sandy - including homeowners and tenants of rental properties - achieve permanent, sustainable housing solutions that allow them to remain in New York City - returning to their neighborhoods, where possible.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The City's Action Plan approved by HUD details how the City's housing agencies will utilize the housing portion of this first allocation, including how it will leverage other funding sources to address areas of unmet need. The City will have a single program with several permanent housing recovery paths that maximize coordination across agencies.

Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.

In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure (ICS) based system, and rehabilitating a total of 90 Community Centers located in Zone A.
- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resiliency and mitigation measures (i.e. raised boilers and electrical switch gear) to all buildings in the new Zone A.

Targeted properties are limited to NYCHA public housing facilities. The proposed activities propose no change in use or density. The targeted properties may include:

BOROUGH	DEVELOPMENT	MANAGEMENT OFFICE ADDRESS	ACREAGE
BROOKLYN	CAREY GARDENS	2955 WEST 24TH STREET	8.37
BROOKLYN	CONEY ISLAND	2940 WEST 31ST STREET	6.86
BROOKLYN	CONEY ISLAND I (SITE 1B)	2955 WEST 24TH STREET	2.14
BROOKLYN	CONEY ISLAND I (SITE 8)	2959 WEST 33RD STREET	1.41
BROOKLYN	CONEY ISLAND I (SITES 4 & 5)	2940 WEST 31ST STREET	4.30
BROOKLYN	GRAVESEND	2959 WEST 33RD STREET	12.41
BROOKLYN	HABER	2955 WEST 24TH STREET	3.09
BROOKLYN	MARLBORO	2740 86TH STREET	34.86
BROOKLYN	O'DWYER GARDENS	2959 WEST 33RD STREET	6.34
BROOKLYN	RED HOOK EAST	62 MILL STREET	19.65
BROOKLYN	RED HOOK WEST	55 DWIGHT STREET	19.32
BROOKLYN	SURFSIDE GARDENS	2940 WEST 31ST STREET	7.42
MANHATTAN	335 EAST 111TH STREET	300 EAST 115TH STREET	0.46
MANHATTAN	BARUCH	100 COLUMBIA STREET	27.46
MANHATTAN	CAMPOS PLAZA I	633 EAST 13TH STREET	2.25
MANHATTAN	CAMPOS PLAZA II	633 EAST 13TH STREET	2.14
MANHATTAN	DYCKMAN	215 NAGLE AVENUE	14.09
MANHATTAN	EAST 120TH STREET REHAB	2396 1ST AVENUE	0.20
MANHATTAN	EAST RIVER	418 EAST 105TH STREET	11.77
MANHATTAN	HOLMES TOWERS	403 EAST 93RD STREET	2.81
MANHATTAN	ISAACS	403 EAST 93RD STREET	3.49
MANHATTAN	JEFFERSON	300 EAST 115TH STREET	17.38
MANHATTAN	LAVANBURG HOMES	126 BARUCH PLACE	0.53
MANHATTAN	LINCOLN	2142 MADISON AVENUE	12.67
MANHATTAN	LOWER EAST SIDE II	640 EAST 5TH STREET	3.85
MANHATTAN	LOWER EAST SIDE III	722 EAST 9TH STREET	0.98
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	640 EAST 5TH STREET	0.41
MANHATTAN	METRO NORTH PLAZA	418 EAST 105TH STREET	2.29
MANHATTAN	POLO GROUNDS TOWERS	2975 F DOUGLASS BOULEVARD	15.15
MANHATTAN	RIIS	454 EAST 10TH STREET	11.73
MANHATTAN	RIIS II	454 EAST 10TH STREET	5.94
MANHATTAN	SMITH	21 SAINT JAMES PLACE	21.75
MANHATTAN	TWO BRIDGES URA (SITE 7)	250 MADISON STREET	0.73
MANHATTAN	WAGNER	2396 1ST AVENUE	26.91
MANHATTAN	WALD	54 AVENUE D	16.46
MANHATTAN	WHITE	418 EAST 105TH STREET	0.81
MANHATTAN	WILSON	418 EAST 105TH STREET	3.06
QUEENS	ASTORIA	4-20 ASTORIA BOULEVARD	32.30
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	38-20 BEACH CHANNEL DRIVE	13.31
QUEENS	CARLETON MANOR	85-10 ROCKAWAY BEACH BO II FVARD	3.33

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QUEENS	HAMMEL	85-10 ROCKAWAY BEACH BOULEVARD	14.16
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	434 BEACH 54TH STREET	32.33
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	319 BEACH 54TH STREET	8.13
QUEENS	REDFERN	14-56 BEACH CHANNEL DRIVE	18.78

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# Staten Island Advance

POWERINGsilva.com

June 27, 2013

Miller Advertising  
71 Fifth Avenue, 7<sup>th</sup> Floor  
New York, NY 10003

Attention: Mitchell Bell

This will verify that the Staten Island Advance ran two advertisements, both 4 columns x 12", for NYC Mayor's Office in our paper on Tuesday, May 21, 2013. The advertisements both appeared in the Main News section of the Staten Island Advance.

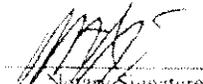


Signature

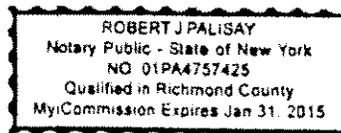
Michelle Boscaïno, Adv Admin Supervisor

STATE OF NEW YORK  
COUNTY OF RICHMOND

Sworn to and subscribed  
Before me this  
27<sup>th</sup> day of June, 2013



Notary Signature



LOCAL NEWS

'Benefit for Cancer' scheduled June 2

Big Brother and the Holding Company to headline event in Port Richmond Center

By KAWANA BICH

Big Brother and the Holding Company...

The band is scheduled to perform...

Not only that, Sam Charles...

St. David will be a special...

It's very exciting that...

In addition to performing...

Cher, who is flying in...

Shes hand and The Cow...

During the program, an...

In addition to music, ar...

Ms. Raco said while her...

Ms. Raco, who lost over...

It's gotta do good things...

The event will also feature...

Patrons are also in advance...



Helen Ghali of New Day... 3644 Forest Ave.

Judge tosses out Island senior's suit against Trump casino

By FRANK DONNELLY

Donald Trump doesn't mind if you wear some cash...

suffered on Aug. 25, 2006...

Ms. Kirsh then, it allegedly...

The facts of this case...

place, Kirsh wrote as...

To establish liability, Ms...

Ms. Kirsh, now in her...

According to court papers...

A Trump security special...

In ruling for Trump, the...

wherein he said there had...

"Accordingly, patrons should...

"We felt that's what the...

Frank Donnelly is a senior reporter...



TRUMP: The Trump Plaza Hotel...

Table with columns: DEVELOPMENT, OFFICE ADDRESS, ACRES, and ACREAGE. Lists various developments like CONEY ISLAND, BROOKLYN HARLEM, etc.

Advertisement for 'Green Means Better' featuring a large green leaf graphic and text about environmental benefits.

Advertisement for 'Return to Nature' featuring a scene of people at a park with text about composting and green markets.

**CIUDAD DE NUEVA YORK  
OFICINA DE ADMINISTRACIÓN Y PRESUPUESTO (OMB)  
AUTORIDAD DE VIVIENDA DE LA CIUDAD DE NUEVA YORK**

**PROGRAMA DE SUBVENCIÓN GLOBAL PARA DESARROLLO COMUNITARIO - RECUPERACIÓN ANTE  
NOTIFICACIÓN PREVIA Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN UNA ZONA CON PROBABILIDAD  
DEL 1% ANUAL Y EN HUMEDALES ZONA DE INUNDACIÓN**

Para: Todos los organismos, grupos y personas interesados

Este documento tiene la finalidad de notificar que la ciudad de Nueva York propone que se realicen actividades dentro de una zona con probabilidad de inundación del 1% anual Global para Desarrollo Comunitario y Recuperación Ante Desastres (CDBG-DR) del Departamento de Vivienda y Desarrollo Urbano de Estados Unidos. El presidente Obama "recuperación ante Desastres de 2013" (Ley Pública 113-2) el 29 de enero de 2013. Entre otras asignaciones, la ley incluyó 16.000 millones de dólares en fondos de CDBG-DR "destinados a la recuperación a largo plazo, la restauración de infraestructura y viviendas y la recuperación económica en las zonas de las que el Huracán Sandy causó mayor eventos relacionados que hayan ocurrido en los años calendario 2011, 2012 y 2013". Este aviso se da en cumplimiento de la Sección 2(a)(4) de la Orden Ejecutiva 11988 sobre C de la Orden Ejecutiva 11990 sobre Protección de Humedales, y se implementa acorde a las Regulaciones del HUD que se encuentran en el 24 CFR 55.20(b), sobre la acción humedales, o que afecte a los mismos.

Los proyectos financiados mediante el CDBG-DR se ubicarán en zonas de impacto del Huracán Sandy en los cinco distritos de Nueva York. La ciudad prevé que la mayor parte de la reconstrucción o de rehabilitación con el fin de ayudar a que las víctimas del huracán Sandy (incluyendo a propietarios e inquilinos de propiedades en alquiler) obtengan solución les permitan permanecer en la ciudad de Nueva York y regresar a sus vecindarios, en la medida de lo posible.

La asignación inicial de la ciudad es de 1.772.820.000 dólares en fondos del CDBG-DR. De esta suma, la ciudad ha asignado 648 millones de dólares para el financiamiento de viviendas que se han identificado hasta ahora. En el plan de acción de la ciudad, aprobado por el HUD, se detalla cómo los organismos de la ciudad utilizarán la p cómo se obtendrán otras fuentes de financiamiento para atender las áreas de necesidad. La ciudad tendrá un solo programa con diversos medios para la recuperación permac coordinación entre los organismos.

De los 648 millones de dólares inicialmente asignados a vivienda, la ciudad destinará 108 millones de dólares al diseño y mejoras de construcción para las viviendas públicas que La Autoridad de Vivienda de la Ciudad de Nueva York (NYCHA) propone que se instalen fuentes alternativas de energía para suministrar electricidad a los elevadores de los edificios públicos, vestíbulos, compactadores de basura, y bombas y controles de sistemas vitales de agua, calefacción y agua caliente doméstica, con el fin de conservar los servicios básicos general a causó de tormentas costeras u otras emergencias.

Asimismo, NYCHA ha considerado otros trabajos, entre los que están:

- Fortalecimiento de la respuesta y la preparación ante emergencias para futuras inundaciones con iniciativas tales como: un nuevo Centro de Operaciones de Emergencia, Estructura de Comando de Incidentes (ICS), y la rehabilitación de 90 Centros Comunitarios ubicados en la Zona A.
- Mejoramiento de la capacidad de recuperación de los desarrollos de la NYCHA para mitigar futuros riesgos de inundación mediante la implementación de medidas básicas mitigación (es decir, calderas e interruptores eléctricos elevados) en todos los edificios de la nueva Zona A.

Las propiedades objetivo de las medidas se limitan a las viviendas públicas de la NYCHA. Las actividades propuestas no sugieren ningún cambio en cuanto al uso o densidad de las pueden ser:

DISTRITO	DESARROLLO	DIRECCIÓN DE LA OFICINA DE GESTIÓN	SUPERFICIE EN ACRES	DISTRITO	DESARROLLO	DIRECCIÓN OFICINA
BROOKLYN	CAREY GARDENS	2955 WEST 24TH STREET	8,37	MANHATTAN	LINCOLN	2142 MADISON
BROOKLYN	CONEY ISLAND	2940 WEST 31ST STREET	6,86	MANHATTAN	LOWER EAST SIDE II	640 EAST
BROOKLYN	CONEY ISLAND I (SITIO 1B)	2955 WEST 24TH STREET	2,14	MANHATTAN	LOWER EAST SIDE III	722 EAST
BROOKLYN	CONEY ISLAND I (SITIO 8)	2959 WEST 33RD STREET	1,41	MANHATTAN	LOWER EAST SIDE REHAB (GRUPO 5)	640 EAST
BROOKLYN	CONEY ISLAND I (SITIOS 4 Y 5)	2940 WEST 31ST STREET	4,30	MANHATTAN	METRO NORTH PLAZA	418 EAST
BROOKLYN	GRAVESEND	2959 WEST 33RD STREET	12,41	MANHATTAN	POLO GROUNDS TOWERS	2975 F DR
BROOKLYN	HABER	2955 WEST 24TH STREET	5,09	MANHATTAN	RHS	454 EAST
BROOKLYN	MARLBORO	2740 86TH STREET	34,86	MANHATTAN	RHS II	454 EAST
BROOKLYN	ODWYER GARDENS	2959 WEST 33RD STREET	6,34	MANHATTAN	SMITH	21 SAINT
BROOKLYN	RED HOOK EAST	62 MILL STREET	19,65	MANHATTAN	TWO BRIDGES URA (SITIO 7)	250 MADISON
BROOKLYN	RED HOOK WEST	55 DWIGHT STREET	19,32	MANHATTAN	WAGNER	2396 1ST
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MANHATTAN	JEFFERSON	300 EAST 115TH STREET	17,38	QUEENS	REDFERN	14-56 BEACH
MANHATTAN	LAVANBURG HOMES	126 BARUCH PLACE	0,53			

De acuerdo con el programa de CDBG-DR, los trabajos de rehabilitación o de generación de mayor capacidad de recuperación para preservar las viviendas y afrontar los futuros de viviendas públicas de la NYCHA se realizará en la zona con probabilidad de inundación del 1% anual y en los humedales. A la ciudad le interesan alternativas y opciones negativas que puedan generar este proyecto, así como las posibles medidas de mitigación.

La información del proyecto, incluyendo los mapas de las zonas de inundación de los lugares afectados, se encuentra en el Informe de Revisión Ambiental de: Calvin Johnson, Piso 8, Nueva York, NY 10007 y se puede examinar de 10:00 a.m. a 5:00 p.m. o en el siguiente enlace: <http://www.nyc.gov/html/housingrecov> en la sección "Public Notice" inundación de los lugares afectados, ingrese a [www.region2coastal.com](http://www.region2coastal.com). A la ciudad le interesan las alternativas y opiniones públicas sobre los posibles efectos adversos, como las posibles medidas de mitigación. Se invita a todas las personas, grupos y organismos interesados para que envíen sus comentarios por escrito sobre la propuesta de proyecto ubicado en una zona de inundación. Los comentarios por escrito se deben entregar en el despacho del Director Asistente de OMB entre las horas de 10:00 a.m. a dirección indicada, o se pueden enviar por correo electrónico a [CDBGDR-enviro@omb.nyc.gov](mailto:CDBGDR-enviro@omb.nyc.gov). El período mínimo de comentarios de 15 días calendario iniciará al día siguiente y terminará en el 16vo día después de su publicación. Estos comentarios deben presentarse a la OMB a más tardar el día 6 de junio de 2013.

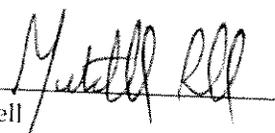
Ciudad de Nueva York, Oficina de Administración y Presupuesto, Mark Page, Director.

Fecha: 21 de mayo de 2013

# AFFIDAVIT OF PUBLICATION

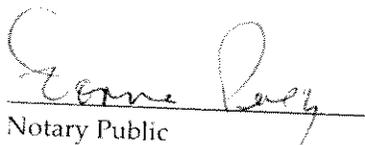
STATE OF NEW YORK  
COUNTY OF NEW YORK

Mitch Bell, being duly sworn hereby declares and says, that he is the Advertising Account Executive responsible for placing the attached advertisement in: Sing Tao for Miller Advertising Agency, Inc; located in New York, NY, and that the City of New York - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date: May 21, 2013

  
\_\_\_\_\_  
Mitch Bell

Subscribed to and Sworn before me

This 21st day of June, 2013

  
\_\_\_\_\_  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

## 紐約市

### 管理和預算辦公室 (OMB)

### 紐約市房屋局 (NYCHA)

# 社區發展整筆撥款 - 災後恢復計劃 早期通知及提議在百年洪泛區 和濕地內進行一項活動的公眾審查

致：所有有利益關係的機構、團體、和個人：

本通知將告知公眾紐約市提議在百年洪泛區內進行活動，這些活動與美國住房和城市發展部 (United States Department of Housing and Urban Development, 簡稱 HUD) 的社區發展整筆撥款 - 災後恢復 (Community Development Block Grant-Disaster Recovery, 簡稱 CDBG-DR) 計劃相關。奧巴馬總統于 2013 年 1 月 29 日簽署《2013 年賑災撥款法案》(公共法 113-2) 成為法律。該法案其中包括 16 億美元的 CDBG-DR 資金，此資金作為「在日曆 2011 年、2012 年、和 2013 年因颶風桑迪和其他符合條件的事件影響最嚴重的貧困地區所需的救災、長期修復、基礎設施和住房的重建、振興經濟等相關的開支」。本通知遵照洪泛區管理行政命令 11988 第 2(a)(4) 條 (Section 2(a)(4) of Executive Order 11988 for Floodplain Management) 和保護濕地行政命令 11990 第 2 (b) 條 (Section 2(b) of Executive Order 11990 for the Protection of Wetlands) 公佈，並遵照在 24 CFR 55.20 (b) 條例所述 HUD 法規實施在洪泛區內和 / 或影響到洪泛區或濕地的 HUD 行動。

CDBG-DR 將資助位於整個紐約市五個行政區內受到颶風桑迪影響的地區。市政府預計大部分補助金將專用於修復或重建活動，旨在幫助桑迪颶風的受害者，包括屋主和出租物業的承租人，實現永久且可持續的住房解決方案，使他們能夠留在紐約市，並在可能的情況下返回到他們的社區。

本市的首筆 CDBG-DR 撥款為 1,772,820,000 美元。其中，市政府已撥款 6.48 億美元協助迄今已確定的各種住房需求缺口。由 HUD 批准的紐約市行動計劃詳細說明市政府的住房機構將如何運用這筆首次撥款的住房部分，包括如何利用其他資金來源來解決需求缺口。市政府將設置一個單獨的計劃，擬定多個恢復永久住房指標，儘量拓展機構間的協調合作。

在這首筆分配給住房的 6.48 億美元當中，市政府將撥出 1.08 億美元設計和建造直接受到颶風桑迪影響的公共住房。NYCHA 建議安裝備用電源以提供電力給建築物內的電梯、公共走廊樓梯間、公共場所、建築物大堂、垃圾壓實機、和關鍵用水 / 暖氣和室內 / 熱水系統泵和控制設備，以在一般由於沿海風暴或其他緊急事件發生斷電時，保持必要的建築物服務。

此外，NYCHA 正考慮其他方面的努力，其中包括：  
• 加強應急響應和準備，以預防今後的洪水災害，如設置新的緊急行動中心 (Emergency Operations Center)、標準事件命令結構 (Incident Command Structure, 簡稱 ICS) 為基礎的系統、及對位於 A 區內的 90 個社區中心進行修復。

在新的 A 區內通過對所有建築物實施基本的抗損和減災措施 (即提高鍋爐和電氣開關裝置)，增加 NYCHA 開發住房的抗損性，以減輕未來洪水風險。

標物業僅限於 NYCHA 管轄的公共住房設施。這些提議的活動並沒有建議對使用密度方面進行任何變更。目標物業可能包括：

...可能包括：

行政區	開發的住房	管理辦公室地址	面積 (英畝)
BROOKLYN	CAREY GARDENS	2955 WEST 24TH STREET	8.37
BROOKLYN	CONEY ISLAND	2940 WEST 31ST STREET	6.86
BROOKLYN	CONEY ISLAND I (SITE 1B)	2955 WEST 24TH STREET	2.14
BROOKLYN	CONEY ISLAND I (SITE 8)	2959 WEST 33RD STREET	1.41
BROOKLYN	CONEY ISLAND I (SITES 4 & 5)	2940 WEST 31ST STREET	4.30
BROOKLYN	GRAVESEND	2959 WEST 33RD STREET	12.41
BROOKLYN	HABER	2955 WEST 24TH STREET	3.09
BROOKLYN	MARLBORO	2740 86TH STREET	34.86
BROOKLYN	O'DWYER GARDENS	2959 WEST 33RD STREET	6.34
BROOKLYN	RED HOOK EAST	62 MILL STREET	19.65
BROOKLYN	RED HOOK WEST	55 DWIGHT STREET	19.32
BROOKLYN	SURFSIDE GARDENS	2940 WEST 31ST STREET	7.42
MANHATTAN	335 EAST 111TH STREET	300 EAST 115TH STREET	0.46
MANHATTAN	BARUCH	100 COLUMBIA STREET	27.46
MANHATTAN	CAMPOS PLAZA I	633 EAST 13TH STREET	2.25
MANHATTAN	CAMPOS PLAZA II	633 EAST 13TH STREET	2.14
MANHATTAN	DYCKMAN	215 NAGLE AVENUE	14.09
MANHATTAN	EAST 120TH STREET REHAB	2396 1ST AVENUE	0.20
MANHATTAN	EAST RIVER	418 EAST 105TH STREET	11.77
MANHATTAN	HOLMES TOWERS	403 EAST 93RD STREET	2.81
MANHATTAN	ISAACS	403 EAST 93RD STREET	3.49
MANHATTAN	JEFFERSON	300 EAST 115TH STREET	17.38
MANHATTAN	LAVANBURG HOMES	126 BARUCH PLACE	0.53
MANHATTAN	LINCOLN	2142 MADISON AVENUE	12.67
MANHATTAN	LOWER EAST SIDE II	640 EAST 5TH STREET	3.85
MANHATTAN	LOWER EAST SIDE III	722 EAST 9TH STREET	0.98
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	640 EAST 5TH STREET	0.41
MANHATTAN	METRO NORTH PLAZA	418 EAST 105TH STREET	2.29
MANHATTAN	POLO GROUNDS TOWERS	2975 F DOUGLASS BOULEVARD	15.15
MANHATTAN	RIIS	454 EAST 10TH STREET	11.73
MANHATTAN	RIIS II	454 EAST 10TH STREET	5.94
MANHATTAN	SMITH	21 SAINT JAMES PLACE	21.75
MANHATTAN	TWO BRIDGES URA (SITE 7)	250 MADISON STREET	0.73
MANHATTAN	WAGNER	2396 1ST AVENUE	26.91
MANHATTAN	WALD	54 AVENUE D	16.46
MANHATTAN	WHITE	418 EAST 105TH STREET	0.81
MANHATTAN	WILSON	418 EAST 105TH STREET	3.06
QUEENS	ASTORIA	4-20 ASTORIA BOULEVARD	32.30
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	38-20 BEACH CHANNEL DRIVE	13.31
QUEENS	CARLETON MANOR	85-10 ROCKAWAY BEACH BOULEVARD	3.33
QUEENS	HAMMEL	85-10 ROCKAWAY BEACH BOULEVARD	14.16
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	434 BEACH 54TH STREET	32.33
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	319 BEACH 54TH STREET	8.13
QUEENS	REDFERN	14-56 BEACH CHANNEL DRIVE	18.78

根據 CDBG-DR 計劃，將對位於百年洪泛區和濕地內 NYCHA 開發的公共住房進行修復和 / 或持久性措施，以維護住房和處理未來洪水風險。市政府希望瞭解對專案本計劃可能產生不利影響的替代措施和公眾的看法，以及潛在的可能的減災措施。

環境審查記錄單位 (Environmental Review Record) 保有專案資料，包括受影響地區的洪泛區地圖，目前放置在下列單位的文檔中：Calvin Johnson，助理主任，255 Greenwich Street, 8th Floor, New York, NY 10007，可在上午 10 時至下午 5 時前往查閱，或使用下列鏈結 <http://www.nyc.gov/html/housingrecov> 然後單擊「公告」(Public Notice)。若要查看受影響地區的洪泛區地圖，請訪問 [www.region2coastal.com](http://www.region2coastal.com)。市政府希望瞭解對本計劃可能產生不利影響的替代措施和公眾的看法，以及潛在的減災措施。我們邀請所有有相關利益的個人、團體和機構提交書面意見，建議如何使用聯邦資金支援在洪泛區內進行的專案。書面意見必須於上午 10 時至下午 5 時遞交到 OMB 助理主任辦公室，郵寄到上述地址給 Calvin Johnson，或通過電子郵件提交，電郵位址是 [CDBGDR-enviro@omb.nyc.gov](mailto:CDBGDR-enviro@omb.nyc.gov)。至少 15 個日曆天的評議期將在公佈後的隔天開始，並於公佈後的第 16 天結束。OMB 應於 2013 年 6 月 6 日或之前收到這些意見。

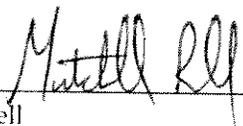
紐約市管理和預算辦公室，Mark Page，主任  
日期：2013 年 5 月 21 日

# AFFIDAVIT OF PUBLICATION

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STATE OF NEW YORK  
COUNTY OF NEW YORK

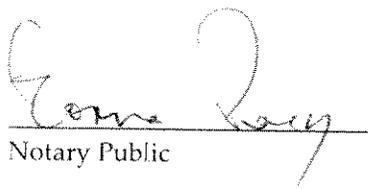
Mitch Bell, being duly sworn hereby declares and says, that he is the Advertising Account Executive responsible for placing the attached advertisement in: Russkaya Reklama for Miller Advertising Agency, Inc; located in New York, NY, and that the City of New York – Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetlands advertisement, of which the annexed is a true copy, has been published in the said publication on the following issue date: May 24, 2013



Mitch Bell

Subscribed to and Sworn before me

This 21st day of June, 2013



Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

**ГОРОД НЬЮ-ЙОРК  
АДМИНИСТРАТИВНО-БЮДЖЕТНОЕ УПРАВЛЕНИЕ (АБУ)  
УПРАВЛЕНИЕ ЖИЛИЩНОГО ХОЗЯЙСТВА Г. НЬЮ-ЙОРК  
ЦЕЛЕВАЯ СУБСИДИЯ НА РАЗВИТИЕ ИНФРАСТРУКТУРЫ – ПРОГРАММА ЛИКВИДАЦИИ  
ПОСЛЕДСТВИЙ ЧРЕЗВЫЧАЙНОЙ СИТУАЦИИ  
ПРОГРАММА ЛИКВИДАЦИИ  
ДЕТЕЛЕВЫХ СТРОИТЕЛЬСТВА Г. НЬЮ-ЙОРК  
И ПРИЛИВНО-ОТЛИВНЫХ ЗОНАХ**

**Кому:** Всем заинтересованным агентствам, группам и лицам

Настоящим уведомлением сообщаем, что Муниципалитет г. Нью-Йорка предлагает провести мероприятия в границах зон затопления столетней повторности, связанные с программой «Целевая субсидия на развитие инфраструктуры» - ликвидация последствий чрезвычайной ситуации» (СДВБ-ДР) Министрства жилищного строительства и реконструкции Городских районов США (HUD), 29 января 2013 года Президент Обама утвердил «Акт о выделении средств на ликвидацию последствий чрезвычайной ситуации 2013» (Публичный закон 113-2). Помимо прочего ассигнований, Акт предусматривает выделение 16 млрд долл. по программе СДВБ-ДР «на необходимые расходы, связанные с ликвидацией последствий чрезвычайной ситуации, долгосрочными восстановительными работами, восстановлением инфраструктуры и жилого фонда, а также экономическим от уратана «Сэнди» и других соответствующих событий 2011, 2012 и 2013 календарных лет». Настоящее уведомление дается в соответствии с требованием раздела 2(a)(4) Указа Президента США № 11988 по противонаводочным мероприятиям и в соответствии с требованием раздела 2(b) Указа Президента США № 11990 по защите приливно-отливных зон, и обеспечено нормативными HUD, изложенными в 24 CFR 55.201(b) по мероприятиям жилищного управления, относящихся к той или иной зоне затопления или приливно-отливной зоне и/или затрагивающих ее.

Проекты, финансируемые в рамках СДВБ-ДР, будут затрагивать зоны, пострадавшие от урагана «Сэнди» в пяти районах г. Нью-Йорка. Муниципальные власти рассматривают, что основная часть выделенных средств будет направлена на финансирование мероприятий по реконструкции или восстановлению для помощи пострадавшим от урагана «Сэнди», в частности домовладельцам и арендаторам, в решении жилищных проблем, что при возможности позволит им остаться в г. Нью-Йорке и вернуться в те районы, где они ранее проживали.

Целевая программа предлагается только для государственного жилого фонда НУСНА. Предлагаемые мероприятия не предусматривают никаких изменений в характере использования или плотности застройки. В число целевых объектов недвижимости могут входить:

**РАЙОН КОМПЛЕКС АДРЕС ЖИЛИЩНОЙ КОНТОРЫ ПЛОЩАДЬ (в акрах)**

BROOKLYN	CAREY GARDENS	2955 WEST 24TH STREET	8.37
BROOKLYN	CONEY ISLAND	2940 WEST 31ST STREET	6.86
BROOKLYN	CONEY ISLAND I	2955 WEST 24TH STREET	7.14
BROOKLYN	CONEY ISLAND I	(SITE 8)	1.41
BROOKLYN	CONEY ISLAND I	(SITES 4 & 5)	4.30
BROOKLYN	GRAVESTEND	2950 WEST 3RD STREET	12.41
BROOKLYN	HANER	2955 WEST 24TH STREET	3.09
BROOKLYN	MARLBORO	2740 86TH STREET	54.86
BROOKLYN	ODDYER GARDENS	2950 WEST 3RD STREET	6.34
BROOKLYN	REDHOOK EAST	62 MILL STREET	19.65
BROOKLYN	REDHOOK WEST	55 DWIGHT STREET	19.37
BROOKLYN	SURESIDE GARDENS	2940 WEST 31ST STREET	7.47
MANHATTAN	333 EAST 11TH STREET	300 EAST 11TH STREET	0.46
MANHATTAN	BARRETT	100 COLUMBIA STREET	27.46
MANHATTAN	CAMPUS PLAZA I	633 EAST 13TH STREET	2.25
MANHATTAN	CAMPUS PLAZA II	633 EAST 13TH STREET	2.14
MANHATTAN	DYCKMAN	218 NAGLE AVENUE	14.06
MANHATTAN	EAST 120TH STREET REHAH	2396 1ST AVENUE	0.26
MANHATTAN	EAST RIVER	418 EAST 105TH STREET	11.77
MANHATTAN	HOLMES TOWERS	403 EAST 93RD STREET	2.81
MANHATTAN	ISAACS	403 EAST 93RD STREET	3.40
MANHATTAN	JEFFERSON	300 EAST 115TH STREET	17.38
MANHATTAN	LAVANBERG HOMES	126 BARCLAY PLACE	0.53
MANHATTAN	LINGOLN	2142 MADISON AVENUE	12.67
MANHATTAN	LOWER EAST SIDE II	640 EAST 5TH STREET	3.85
MANHATTAN	LOWER EAST SIDE III	722 EAST 9TH STREET	6.98
MANHATTAN	LOWER EAST SIDE	640 EAST 5TH STREET	0.41
MANHATTAN	REHAV (GROUP 5) PLAZA	418 EAST 105TH STREET	7.26
MANHATTAN	POLO GROUNDS TOWERS	3075 E DOUGLASS BOULEVARD	15.15
MANHATTAN	RUNS	451 EAST 10TH STREET	

районы, где они ранее проживали.

Первоначальная сумма муниципалитетных средств в рамках СДВБ-ДР составляет 1 772 820 000 долл. Из этой общей суммы муниципалитет выделил 648 миллионов долларов, выявленных на различных жилищных потребностях, выявленных на данный момент. В Муниципальном плане действий, утвержденном НУСНА, подробно описан порядок использования муниципалитетными жилищными агентствами части первого ассигнования, в том числе порядок привнесения других источников финансирования для покрытия неудовлетворенных потребностей. Муниципалитет будет осуществлять единую программу с рядом остальных направлений по восстановлению жилья. Максимально будет координировано между агентствами.

Из первоначальных 648 млн долл., выделенных на восстановление жилого фонда, муниципалитет направит 108 млн долл. на проектирование и реконструкцию государственного жилья, непосредственно принадлежащего от Урстана «Сэндри». Жилищное управление г. Нью-Йорка (НУСНА) предлагает установить альтернативные источники энергообеспечения для обеспечения электроэнергией лифтов, коридоров, лестничных площадок, общественных помещений, вестибюлей, прессователей отходов, а также насосов и средств управления внешними системами водоснабжения/отопления, подачи бытовой и горячей воды с целью поддержания важнейших коммунальных услуг в случае полного прекращения подачи энергии по причине прибрежного шторма или другой чрезвычайной ситуации.

НУСНА также рассматривает возможность осуществления других мероприятий, в том числе: Повышение эффективности системы экстренного реагирования и готовности к будущим затоплениям счет осуществления таких инициатив, как новый центр управления действиями в чрезвычайной ситуации, стандартная система на основе структуры управления при ЧС (ICS), а также восстановление шестнадцати центров, расположенных в зоне А. Повышение устойчивости для минимизации будущих рисков затопления для объектов НУСНА путем расширения базовых мер обеспечения устойчивости и электрической коммуникационной аппаратуры) во всех зданиях в новой зоне А.

MANHATTAN	POLY-GROUNDS TOWERS	2975 F DOUGLASS BOULEVARD	18.78
MANHATTAN	RHS	451 EAST 10TH STREET	15.15
MANHATTAN	RHS II	451 EAST 10TH STREET	11.73
MANHATTAN	SMITH	21 SAINT JAMES PLACE	5.94
MANHATTAN	TWO BRIDGES URA (SITE 7)	250 MADISON STREET	21.75
MANHATTAN	WAGNER	2396 1ST AVENUE	0.73
MANHATTAN	WALD	54 AVENUE D	26.91
MANHATTAN	WHITE	418 EAST 105TH STREET	16.46
MANHATTAN	WILSON	418 EAST 105TH STREET	0.81
QUEENS	ASTORIA	4-20 ASTORIA BOULEVARD	32.30
QUEENS	BEACH FIRST STREET-BEACH CHANNEL DRIVE	38-20 BEACH CHANNEL DRIVE	13.31
QUEENS	CARLETON MANOR	85-10 ROCKAWAY BEACH BOULEVARD	3.33
QUEENS	HANMEL	85-10 ROCKAWAY BEACH BOULEVARD	14.16
QUEENS	OCEAN BAY APARTMENTS (EAST SIDE)	434 BEACH 54TH STREET	32.23
QUEENS	OCEAN BAY APARTMENTS (WEST SIDE)	319 BEACH 54TH STREET	8.13
QUEENS	QUEENS REDFERN	14-56 BEACH CHANNEL DRIVE	18.78

В рамках программы СДВБ-ДР мероприятия по восстановлению и/или обеспечению устойчивости в целях сохранения жилья и минимизации будущих рисков затопления на объектах государственности жилого фонда НУСНА будут осуществлены в границах зон затопления столетней повторяемости и на приливо-отливных территориях. Муниципалитет заинтересован рассмотреть альтернативные предложения и комментарии общественности по поводу негативных последствий осуществления проекта, а также потенциальные меры по смягчению таких последствий.

Информация о проекте, включающая карты зон затопления, содержится в Протоколе экологической экспертизы, в настоящее время находящемся по следующему адресу: Salim Johnson, Assistant Director, 255 Greenwich Street, 8th Floor, New York, NY 10007, и может быть представлена для ознакомления с 10 до 17 часов, либо доступна по ссылке [http://www.nyc.gov/html/housing/index.cfm](http://www.nyc.gov/html/hous-ing/index.cfm) в разделе Public Notices («Публичные уведомления»). Для ознакомления с картами зон паводка посетите сайт [www.gesbin2.com](http://www.gesbin2.com). Муниципалитет заинтересован рассмотреть с картами зон термальные предложения и комментарии общественности по поводу негативных последствий осуществления проекта, а также потенциальные меры по смягчению таких последствий альтернатируемых лиц, группам и агентствам предлагается представить письменные комментарии относительно предлагаемого использования федеральных средств для осуществления проекта в границах зон паводка. Письменные комментарии должны быть получены с 10 до 17 часов на имя Помощника Начальника Управления АБУ Кэвлина Джонсона (Salim Johnson) по адресу [enlight@omb.nyc.gov](mailto:enlight@omb.nyc.gov). Минимальный 15-дневный период комментирования начинается в день публикации и заканчивается на 16-й день после публикации. Такие комментарии должны быть получены ОМБ не позднее 6 июня 2013 года включительно.

**Город Нью-Йорк, Административно-бюджетное управление, Марк Раге, Директор**  
Дата: 21 мая 2013 года

1049412



## Exhibit 5 Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

**To:** All interested Agencies, Groups, and Individuals

This publication gives notice that New York City has conducted an evaluation of the proposed **NYC Build it Back**: NYCHA Public Housing Rehabilitation and Resilience (NYCHA Public Housing) program, as required by Executive Orders (EO) 11988 and 11990, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, respectively. These evaluations are made to determine the potential affects that proposed activities in the floodplain and wetland associated with will have on the human environment. NYC will receive federal Community Development Block Grant (CDBG)-Disaster Recovery (DR) funding from HUD in the amount of \$108,000,000 to execute the NYCHA Public Housing program. 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 Funding* (January 29, 2013) and *The City's Partial Action Plan A for CDBG-DR* (April 2013) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the rehabilitation resilience activities under the NYCHA Public Housing program.

NYC has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values of its floodplains:

**Action Outside the Floodplain:** NYCHA has considered a limited action alternative that restricts CDBG-funded action only to Hurricane Sandy-damaged public housing facilities outside the 100-year floodplain and wetlands. Under this approach, NYCHA's housing facilities located in the 500-year floodplain would be targeted for rehabilitation and resilience measures. Therefore, emergency power generation systems would only be provided to its public housing facilities outside the 100-year floodplain and wetlands, which did not experience damage to their building systems, and where low-income tenant families did not experience extraordinary disruption of utility services during or following Hurricane Sandy. This approach, if applied toward NYCHA's housing facilities located in FEMA's revised 500-Year floodplain, would signify the application of resiliency measures for buildings potentially vulnerable to extreme flooding. Remaining funds could therefore be applied toward further building system resilience measures systems serving these same properties, improve community centers situated in the 500-year floodplain, and facilitate relocation of the Emergency Operations Center (EOC). However, this alternative would still leave thousands of low-income families at risk for extraordinary disruption in their utility services should flooding again damage the power systems in the housing facilities where they live in the 100-year floodplain. The City thus considers that the potential risk for cyclic and costly emergencies for NYCHA is unacceptable, particularly given the large residential population it serves and the current understanding of how climate change conditions may produce future extreme storm events.

**Proposed Action in the Floodplain:** The City proposes to use CDBG-DR funds to fully restore building systems and service functions to NYCHA's residential facilities, and rehabilitating the City's Community Centers in the 100-year floodplain, while preserving these critical investments by making them more resilient to future storm forces. Funds will be applied toward the purchase of energy efficient standby generators, electrical and mechanical systems or alternate heating generating systems, as appropriate, to reduce vulnerability to the loss of critical services during emergency conditions. These measures will help avoid disruption to thousands of NYCHA's tenant families during future storm events. Other critical vulnerable building systems would also be targeted for resilience measures. These systems will be sustainably designed, and installed above the BFE as required by FEMA for NYCHA participation in the NFIP, thus making these and the buildings they serve more resilient, as well as promoting the

preservation of the City's vital public housing assets. A portion of the funds would help establish a new EOC with a standard Incident Command Structure.

Flood hazard prevention and mitigation measures for NYCHA facilities situated in the floodplain include the installation of new mechanical systems. The relocation of vulnerable building systems will comply with floodplain management requirements. The City's intention is to use the Preliminary Flood Insurance Rate Maps (P-FIRM) for NYC when they are issued, and require these CDBG-funded projects meet P-FIRM elevation plus freeboard to protect investments in these facilities. Freeboard is one or two feet, and depends on applicable building occupancy and flood zone. Additional measures to protect wetlands will be incorporated into construction plans and include standard construction Best Management Practices to minimize effects on water quality and wetland habitat from construction activities that could otherwise be impacted by uncontrolled stormwater runoff from project sites.

**No Action:** This alternative does not achieve the City goals of restoring Hurricane Sandy-damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future weather extremes. Under the no-action alternative, neither permanent repairs nor resiliency measures would be funded by CDBG-DR or implemented for NYCHA residential facilities as described in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent repairs NYCHA residential facilities would remain in varying degrees of disrepair, potentially posing health and safety hazards as well as continued disruption to tenant families. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, thus becoming less functional for the City's low-income population served.

This **FINAL NOTICE FOR PUBLIC REVIEW OF A PROPOSAL TO SUPPORT ACTIVITY IN A 100 – YEAR FLOODPLAIN** is required by Section 2(a)(4) of EOs 11988 and 11990, respectively for Floodplain Management and Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain or wetland. NYCHA proposes to use CDBG-DR funds for rehabilitation and resilience activities at residential facilities housing units located within the 100-year floodplain.

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 10:00 AM to 5:00 PM. This posting can be found by using the following [link http://www.nyc.gov/builditback](http://www.nyc.gov/builditback) and then clicking on "Reports and Public Notices". To review the floodplain maps of the affected sites, visit [www.region2coastal.com](http://www.region2coastal.com). 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.

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. Comments must be received in writing by mail to the above address or submitted via email to [CDBGDR-enviro@omb.nyc.gov](mailto:CDBGDR-enviro@omb.nyc.gov). The minimum 7 calendar day comment period will begin the day after the publication and end on the 8th day after the publication. All comments should be received by OMB on or before June 21, 2013.

City of New York, Office of Management and Budget, Mark Page, Director.

Date: June 14, 2013

**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **New York Daily News** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **14<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

**Legal Notices**

**Legal Notices**

**Legal Notices**

**Legal Notices**

**City of New York  
Office of Management and Budget (OMB)  
New York City Housing Authority (NYCHA)  
Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain**

To: All interested Agencies, Groups, and Individuals  
This publication gives notice that New York City has conducted an evaluation of the proposed NYCHA Public Housing Rehabilitation and Resilience (NYCHA Public Housing) program, also known as NYC Build It Back, as required by Executive Orders 11888 and 11990, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, respectively. These evaluations are made to determine the potential effects that proposed activities in the floodplain and wetland associated with will have on the human environment. NYC will receive federal Community Development Block Grant (CDBG)-Disaster Recovery (DR) funding from HUD in the amount of \$108,000,000 to execute the NYCHA Public Housing program. 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 Funding (January 29, 2013) and The City's Partial Action Plan A for CDBG-DR (April 2013) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the rehabilitation resilience activities under the NYCHA Public Housing program.

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Flood hazard prevention and mitigation measures for NYCHA facilities situated in the floodplain include the installation of new mechanical systems. The relocation of vulnerable building systems will comply with floodplain management requirements. The City's intention is to use the Preliminary Flood Insurance Rate Maps (P-FIRM) for NYC when they are issued, and require these CDBG-funded projects meet P-FIRM elevation plus freeboard to protect investments in these facilities. Freeboard is one or two feet, and depends on applicable building occupancy and flood zone. Additional S, 2008 by M&B DEBES BANKS and in accordance with its rights as holder of the security, FEDERAL HOME LOAN MORTGAGE CORPORATION by Victor Marino, Auctioneer, DCA (License No.: 1005640) and/or Donald Leung, Auctioneer, DCA (License No.: 1292572), will conduct a public sale of the security consisting of 209 shares of 210-220-230 OWNERS CORP., and all right title and interest in and to a proprietary lease to APARTMENT NO. 60 in a building known as and by the street address, 210 PELHAM ROAD, NEW ROCHELLE, NEW YORK together with fixtures and articles of personal property now or hereafter affixed to or used in connection with Apartment No. 60 on July 8, 2013 at 9:20 a.m. at the lobby of the Westchester County Courthouse, 111 Dr. Martin Luther King Boulevard, White Plains, New York in satisfaction of an indebtedness in the principal amount of \$1,463,471.97 plus interest from March 1, 2011, subject to open common charges. The secured party reserves the right to bid.

**No Action:** This alternative does not achieve the City's goals of restoring Hurricane Sandy-damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future weather extremes. Under the no-action alternative, neither permanent repairs nor resiliency measures would be funded by CDBG-DR or implemented for NYCHA residential facilities as described in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent repairs NYCHA residential facilities would remain in varying degrees of disrepair, potentially posing health and safety hazards as well as continued disruption to tenant families. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, thus becoming less functional for the City's low-income population served.

**This FINAL NOTICE FOR PUBLIC REVIEW OF A PROPOSAL TO SUPPORT ACTIVITY IN A 100 - YEAR FLOODPLAIN** is required by Section 2(a)(4) of Executive Orders 11888 and 11990, respectively for Floodplain Management and Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain or wetland. NYCHA proposes to use CDBG-DR funds for rehabilitation and resilience activities at residential facilities housing units located within the 100-year floodplain.

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 10:00 AM to 5:00 PM. This posting can be found by using the following link <http://www.nyc.gov/buildback> and then clicking on "Reports and Public Notices". To review the floodplain maps of the affected sites, visit [www.region2coastal.com](http://www.region2coastal.com). 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.

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. Comments must be received in writing by mail to the above address or submitted via email to CDBGDR-enviro@omb.nyc.gov. The minimum 7 calendar day comment period will begin the day after the publication and end on the 8th day after the publication. All comments should be received by OMB on or before June 21, 2013.

City of New York, Office of Management and Budget, Mark Page, Director  
Date: June 14, 2013

**NOTICE OF FORMATION OF SHOW WIN REALTY LLC** Arts, of Org. filed with Secy. of State of NY (SSNY) on 02/27/13. Office location: Queens Co. Prnc. office of LLC 4565 Utopia Pkwy, Flushing, NY 11358. SSNY designated as agent of LLC served. SSNY shall mail process to 4565 Utopia Pkwy, Flushing, NY 11358 at the prnc. Office of the LLC. Purpose: Any lawful activity.

Notice of formation of GSE UNLIMITED, LLC filed with the Secy. of State (SSNY) on 4/10/13. Office loc.: Queens County, SSNY is designated as agent of the LLC upon whom process against it may be served. The address SSNY shall mail copy of process to William Keating, 164-27 O'Donnell Rd., Jamaica, NY 11433. Agents shall be by one or more members. Purpose: Any lawful activity.

Notice of formation of WHIMSEVENTS, LLC. Articles of Organization filed with Secy. of State of NY (SSNY) on 02/27/13. Office location: Queens County, SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC. SSNY may mail process to 159-25 71st Avenue, Fresh Meadow, NY 11365. Purpose: any lawful activities.

VSHORE, LLC, a domestic LLC, Arts, of Org. filed with the SSNY on 4/25/13. Office location: Queens County, SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 146-04 61 Rd, Flushing, NY 11367. General Purposes.

P-THREE LLC, a domestic LLC, Arts, of Org. filed with the SSNY on 1/29/13. Office location: Queens County, SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, c/o Mark Facchin, 7154 244th St., Douglass, NY 11362. General Purposes.

**NOTICE OF SALE BY VIRTUE OF DEFAULT** in a security agreement executed on August 5, 2008 by M&B DEBES BANKS and in accordance with its rights as holder of the security, FEDERAL HOME LOAN MORTGAGE CORPORATION by Victor Marino, Auctioneer, DCA (License No.: 1005640) and/or Donald Leung, Auctioneer, DCA (License No.: 1292572), will conduct a public sale of the security consisting of 209 shares of 210-220-230 OWNERS CORP., and all right title and interest in and to a proprietary lease to APARTMENT NO. 60 in a building known as and by the street address, 210 PELHAM ROAD, NEW ROCHELLE, NEW YORK together with fixtures and articles of personal property now or hereafter affixed to or used in connection with Apartment No. 60 on July 8, 2013 at 9:20 a.m. at the lobby of the Westchester County Courthouse, 111 Dr. Martin Luther King Boulevard, White Plains, New York in satisfaction of an indebtedness in the principal amount of \$1,463,471.97 plus interest from March 1, 2011, subject to open common charges. The secured party reserves the right to bid.

McCabe, Weisberg & Conway, P.C. ATTORNEYS FOR SECURED CREDITOR, Federal Home Loan Mortgage Corporation, 145 Hugenot Street Suite 2100 New Rochelle, New York 10801 (914) 636-8900 D & V Legal Advertising, LLC 718-875-7677

**NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY.** NAME: A.P.R.O.N.Y.C. LLC. Articles of Organization were filed with the Secretary of State of New York (SSNY) on 04/25/13. Office location: Queens County, SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, c/o HJ Edwards Associates, 1705 Church Avenue, Suite 204, Brooklyn, New York 11226. Purpose: For any lawful purpose.

**NOTICE OF SALE SUPREME COURT COUNTY OF QUEENS, EVANGELICAL CHRISTIAN CENTER, INC., THE WORLD HARVEST DELIVERANCE CENTER, ET AL., Defendant(s).** Pursuant to a Judgment of Foreclosure and Sale duly filed on December 04, 2012, I, the undersigned Referee will sell at public auction of the Queens County Courthouse, Courtroom 25, 88-11 Sulphur Boulevard, Jamaica, NY on June 21, 2013 at 10:00 a.m., premises known as 15-21 Central Avenue, Far Rockaway, NY. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being in the Borough and County of Queens and City and State of New York, Block 15454 and Lot 26. Premises will be sold subject to provisions of filed Judgment Index #23373/11. Lucille DiGirolamo, Esq., Referee, Berkman, Henoch, Peterson, Pectey & Fenchel, P.C., 100 Garden City Plaza, Garden City, NY 11530. Attorneys for Plaintiff

**Notice of Qualification of COLUMBUS PHOTOWALTACS LLC Authority** filed with Secy. of State of NY (SSNY) on 03/09/13. Office location: Queens County, LLC formed in Delaware (DE) on 10/05/11. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC, 95-22 43rd Rd., Ste. 516, Reser Park, NY 11374. DE addr. of LLC: c/o Corporation Service Co., 211 Centerville Rd., Ste. 400, Wilmington, New Castle, N.Y., DE 19888. Arts. of Org. filed with Secy. of State of DE, Corp. Dept., Townsend Bldg., Dover, DE 19901. Purpose: Any lawful activity.

Notice of Formation of Tap Vision LLC, Arts of Org. filed with NY Secy of State (SSNY) on 5/27/13. Office location: Manhattan Co. SSNY designated as agent of LLC upon whom process against it may be served and shall mail process to 15-38 215th St. Bayside, NY 11360. Purpose: any lawful activity.

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Providing Personalized Songs For Children With Cancer Like Katie  
888-909-7664

**Legal Notices**

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CLARK in accordance with its rights as holder of the security, HSBC MORTGAGE CORPORATION (USA) its successors and/or assignees; by Victor Marino, Auctioneer, DCA #1005640 and/or Donald Leung, Auctioneer, DCA #1292572 will conduct a public sale of the security consisting of 415 shares of stock issued by KINGS VILLAGE CORP. and all right title and interest in and to a proprietary lease in a building known as and by the street address 1275 E. 51ST ST., APT. 1E, BROOKLYN, NY 11224, together with fixtures and articles of personal property now or hereafter affixed to or used in connection with said apartment on June 27, 2013 at 9:30 A.M. at the "foot" of the Kings County Courthouse steps facing Adams Street, 360 Adams Street, Brooklyn, New York; in satisfaction of an indebtedness in the principal amount of \$147,250.00, on which there remains an unpaid principal balance of \$135,257.75 plus interest from August 1, 2011, subject to open common charges. The secured party reserves the right to bid on the security interest, to set the minimum sale amount and to reject any and all bids. The secured party makes no warranties or representations. Each bidder must make his/her own inquiry regarding the apartment and any liens or debts in connection therewith. The sale is subject to the Terms of Sale, including ten (10%) percent deposit by cash or certified funds (with the condition) balance due upon closing within thirty (30) days; the payment of all sums due to the cooperative corporation and any liens or debts on which there remains an unpaid principal balance of \$135,257.75 plus interest from August 1, 2011, subject to open common charges. The secured party reserves the right to bid on the security interest, to set the minimum sale amount and to reject any and all bids. The secured party makes no warranties or representations. 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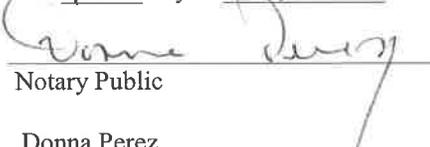
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Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **New York Post** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **14<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

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Sunday: Friday 2:30PM

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Thursday: Tuesday 5PM  
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## NOTICES

### LEGAL NOTICES

#### City of New York Office of Management and Budget (OMB) New York City Housing Authority (NYCHA) Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

To: All Interested Agencies, Groups, and Individuals  
This publication gives notice that New York City has conducted an evaluation of the proposed NYCHA Public Housing Rehabilitation and Resilience (NYCHA Public Housing) program, also known as NYC Build It Back, as required by Executive Orders 11988 and 11990; in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, respectively. These evaluations are made to determine the potential effects that proposed activities in the floodplain and wetland associated with will have on the human environment. NYC will receive federal Community Development Block Grant (CDBG)-Disaster Recovery (DR) funding from HUD in the amount of \$108,000,000 to execute the NYCHA Public Housing program. 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 Funding (January 29, 2013) and The City's Partial Action Plan A for CDBG-DR (April 2013) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the rehabilitation resilience activities under the NYCHA Public Housing program.

NYC has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values of its floodplains:

**Action Outside the Floodplain:** NYCHA has considered a limited action alternative that restricts CDBG-funded action only to Hurricane Sandy-damaged public housing facilities outside the 100-year floodplain and wetlands. Under this approach, NYCHA's housing facilities located in the 500-year floodplain would be targeted for rehabilitation and resilience measures. Therefore, emergency power generation systems would only be provided to its public housing facilities outside the 100-year floodplain and wetlands, which did not experience damage to their building systems, and where low-income tenant families did not experience extraordinary disruption of utility services during or following Hurricane Sandy. This approach, if applied toward NYCHA's housing facilities located in FEMA's revised 500-year floodplain, would signify the application of resiliency measures for buildings potentially vulnerable to extreme flooding. Remaining funds could therefore be applied toward further building system resilience measures systems serving these same properties. Improve community centers situated in the 500-year floodplain, and facilitate extraordinary disruption in their utility services should flooding again damage the power systems in the housing facilities where they live in the 100-year floodplain. The City thus considers that the potential risk for cyclic and costly emergencies for NYCHA is unacceptable, particularly given the large residential population it serves and the current understanding of how climate change conditions may produce future extreme storm events.

**Proposed Action in the Floodplain:** The City proposes to use CDBG-DR funds to fully restore building systems and service functions to NYCHA's residential facilities, and rehabilitating the City's Community Centers in the 100-year floodplain, while preserving these critical investments by making them more resilient to future storm forces. Funds will be applied toward the purchase of energy efficient standby generators, electrical and mechanical systems or alternate heating generating systems, as appropriate, to reduce vulnerability to the loss of critical services during emergency conditions. These measures will help avoid disruption to thousands of NYCHA's tenant families during future storm events. Other critical vulnerable building systems would also be targeted for resilience measures. These systems will be sustainably designed, and installed above the base flood elevation as required by FEMA for NYCHA participation in the NFIP, thus making these and the buildings they serve more resilient, as well as promoting the preservation of the City's vital public housing assets. A portion of the funds would help establish a new EOC with a standard Incident Command Structure.

Flood hazard prevention and mitigation measures for NYCHA facilities situated in the floodplain include the installation of new mechanical systems. The installation of these building systems will comply with floodplain management requirements. The City's intention is to use the Preliminary Flood Insurance Rate Maps (P-FIRM) for NYC when they are issued, and require these CDBG-funded projects meet P-FIRM elevation plus freeboard to protect investments in these facilities. Freeboard is one or two feet, and depends on applicable building occupancy and flood zone. Additional measures to protect wetlands will be incorporated into construction plans and include standard construction Best Management Practices to minimize effects on water quality and wetland habitat from construction activities that could otherwise be impacted by uncontrolled storm water runoff from project sites.

**No Action:** This alternative does not achieve the City goals of restoring Hurricane Sandy-damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future weather extremes. Under the no-action alternative, neither permanent repairs nor resiliency measures would be funded by CDBG-DR or implemented for NYCHA residential facilities as described in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent repairs NYCHA residential facilities would remain in varying degrees of disrepair, potentially posing health and safety hazards as well as continued disruption to tenant families. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, thus becoming less functional for the City's low-income population served.

This FINAL NOTICE FOR PUBLIC REVIEW OF A PROPOSAL TO SUPPORT ACTIVITY IN A 100 - YEAR FLOODPLAIN is required by Section 2(a)(4) of Executive Orders 11988 and 11990, respectively for Floodplain Management and Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The 8-Step Decision Making Process requires public notices and the examination of practicable alternatives to building in the floodplain or wetland. NYCHA proposes to use CDBG-DR funds for rehabilitation and resilience activities at residential facilities housing units located within the 100-year floodplain.

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 10:00 AM to 5:00 PM. This posting can be found by using the following link: <http://www.nyc.gov/buildback> and then clicking on "Reports and Public Notices". To review the floodplain maps of the affected sites, visit [www.region2coastal.com](http://www.region2coastal.com). 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.

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. Comments must be received in writing by mail to the above address or submitted via email to CDBGDR: [enviro@omn.nyc.gov](mailto:enviro@omn.nyc.gov). The minimum 7 calendar day comment period will begin the day after the publication and end on the 8th day after the publication. All comments should be received by OMB on or before June 21, 2013.

City of New York, Office of Management and Budget, Mark Page, Director.  
Date: June 14, 2013

#### SUPREME COURT - COUNTY OF QUEENS

M&T BANK, One Fountain Plaza, 6th Floor, Buffalo, New York 14203, Plaintiff against HIGOBERTO PEREZ, DELANO PEREZ, ESTER PEREZ, GUILERMO PEREZ, SHAWANA PEREZ et al Defendants. Pursuant to a Judgment of Foreclosure and Sale entered on April 10, 2013, the undersigned Referee will sell at public auction at the Queens County General Courthouse, 88-11 Sutphin Boulevard, Court Room # 25, Jamaica, N.Y. on the 12th day of July, 2013 at 10:00 a.m. Said premises known as 87-24 112th Street, Richmond Hill, NY 11418. Tax account number: 58L # 40-9301-13. Approximate amount of lien \$576,311.13 plus interest and costs. Premises will be sold subject to provisions of filed judgment and terms of sale.  
Index No. 0003133-10.  
Lawrence Gresser, Esq., Referee.  
McCabe Weissberg & Conway  
Attorney(s) for Plaintiff  
145 Huguenot Street - Suite 210  
New Rochelle, New York 10801  
(914) 636-8900

#### NOTICE OF SEIZURE TREASURY DEPARTMENT INTERNAL REVENUE SERVICE CRIMINAL INVESTIGATION

On May 29, 2013, pursuant to a seizure warrant, \$265,549.82 in U.S. Currency was seized for administrative forfeiture from TD Bank, NA located in Mt. Laurel, NJ, account # ending in xxx9370. This currency was seized for violation of Title 31 U.S.C. Section 5317. Pursuant to Title 18 U.S.C. Section 981, this property is subject to forfeiture. Any person claiming ownership interest in this property must file a claim on or before 30 days from the date of the last publication, which is June 28, 2013, otherwise the property will be forfeited and disposed of according to law on July 30, 2013. The claim should be mailed to the Internal Revenue Service-Criminal Investigation, Attn: Special Agent in Charge, 290 Broadway, Fourth Floor, New York, NY 10007. For further information, please call Asset Forfeiture Coordinator at telephone number (212) 436-1651 and refer to AFTRAK #13130126-01.

Storage Post will sell at Public Auction under New York Lien law for cash only on June 17, 2013 at 10:00AM and on such succeeding days and times as may be necessary at 30-28 Starr Ave., Queens, NY 11101 the property described as cartons, furniture, office furnishings & supplies, household goods and other effects belonging to: Rodriguez, Helder #028505; Rondrone, Juan #056473; Diaz, Luis M. #055269; Estier, Michelle #033234; Javid, Mohammed #058505; Montezaran, Hossein #038203; Rosado, Carlos R. #008410; Nineshing, Keith C. #035130; Schwartz, Melvin #04424; Patterson, James #005382; Christe, Patricia #005428; Davis, Elizabeth Renee #041008; Khorrarn, Hoaman #038245; Roca, Carlos #048140; Kon, Tai Wang #058471; Ruppert, Michael #020211; Cuellardeantecueva, Patricia # 048374; Espada, Julio #005447; Donald Bader, DCA #855815; Patrick Williams, DCA #1377072; Audicenas, Agenta. Lienor reserves the right to bid.

To place a legal or public notice in the New York Post Classifieds, Call 212-930-8100

Storage Post (formerly The Self Storage Center, Inc.) will sell at Public Auction under New York Lien law for cash only on July 12, 2013 at 10:00AM and on such succeeding days and times as may be necessary at 1800 Jewish Turnpike, New Hyde Park, NY 11140 the property described as cartons, furniture, office furnishings & supplies, household goods and other effects belonging to: Ernestine Berry #M0434; Phil Broughton #M0125; Klara Chandler #MB018; MA065; MB028 & M0513; Nadia Davis #M0153; Megan Dorst #005; Vincent Garcia #536; John Gioiella CEO Di Toscana, Inc #1238; Stephanie GreenPrime Accounting Service #M0215; Anthony Johnson #M04075; Kessay McCabe #9333; Paul Montebano/The Iron Worker, Inc #E035; Barry Noonan #E008; Robert Pelt #1221; Sharon Rencher #449; Ubaldo Rios #149; Gary Westfall #M0446; Donald Bader & Patrick Williams, Auctioneers as Agents. Lienor reserves the right to bid.

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### LEGAL NOTICES

**SHERIFF'S SALE**  
BY VIRTUE OF AN EXECUTION ISSUED OUT OF THE SUPREME COURT, NEW YORK COUNTY, in favor of FLEXTRONICS GLOBAL SERVICES CANADA INC., and against AERO TOY STORE, LLC, to me directed and delivered, I WILL SELL AT PUBLIC AUCTION, by DENNIS ALFREDA DCA # 0840217, auctioneer, as the law directs, FOR CASH ONLY, on the 14th day of AUGUST, 2013, at 2:00 o'clock in the AFTERNOON, at THE SHERIFF'S OFFICE, 66 JOHN ST. 13th FLOOR NYC NY 10038 in the county of NEW YORK all the right, title and interest which AERO TOY STORE, LLC, the judgment debtor(s), had on the 2nd day of FEBRUARY 2012, or at anytime thereafter, of, in and to the following properties:

The Condominium Unit in the building known as the 55 Wall Condominium and located at and known as and by Street Number 55 Wall Street, New York, N.Y., designated and described as Unit 506 in the Declaration (the "Declaration") made by SK 55 Wall LLC under the Condominium Act of the State of New York (Article 9-B of the Real Property Law of the State of New York), dated as of March 2, 2005 and recorded March 8, 2005 in the Office of the City Register New York County (the "Register's Office"), as CRFT 2005 000135813, as amended by Amended and Restated Declaration dated as of June 27, 2006, recorded July 13, 2006 as CRFT 200600309727 and First Amendment to Amended and Restated Declaration dated as of May 7, 2007 and recorded June 22, 2007 as CRFT 200700521933, establishing a plan for Condominium Ownership of said Building and the land upon which the same is erected and also designated and described as Tax Lot No. 1605 in Block 27 of Section 1, Borough of Manhattan on the Tax Map of the Real Property Assessment Department of the City of New York and on the Floor Plans of said Building certified by Peter Claman on February 20, 2005 and filed as Condominium Plan No. 1424 and as Map No. CRFN 2005000135814 on March 8, 2005 in the Register's Office and amended by Condominium Plan No. 1424-A filed in the Register's Office on July 13, 2006 as CRFN 200600309728.

The Condominium Unit is together with an undivided 0.4815% of interest in the Common Elements and a 0.7923% of interest in the aggregate residential common elements (as such term is defined in the Declaration).  
The land upon which the Building containing the Unit is erected is described as follows: All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows: Beginning at the corner formed by the intersection of the easterly side of William Street and the southerly side of Wall Street; Running thence westerly along the southerly side of Wall Street 198.11 feet to the corner formed by the intersection of the westerly side of Hanover Street and the southerly side of Wall Street; Thence southerly along the westerly side of Hanover Street 52.33 feet to an angle point therein; Thence southerly still along the westerly side of Hanover Street 83.34 feet to the corner formed by the intersection of the westerly side of Hanover Street and the northerly side of Exchange Place; Thence westerly along the northerly side of Exchange Place 205.41 feet to the corner formed by the intersection of the northerly side of Exchange Place and the easterly side of William Street; Thence northerly along the easterly side of William Street 76.79 feet to an angle point therein; Thence northerly still along the easterly side of William Street 95.00 feet to the point or place of Beginning.

EDGAR DOMENECH, SHERIFF OF THE CITY OF NEW YORK  
Deputy Bernard Waites (212) 291-4989 Case# 13018324

**SHERIFF'S SALE**  
BY VIRTUE OF AN EXECUTION ISSUED OUT OF THE SUPREME COURT, QUEENS COUNTY, in favor of KYUNG SOOK PARK, judgment creditor, against MICHAEL WANG, judgment debtor, to me directed and delivered, I WILL SELL AT PUBLIC AUCTION, by Dennis Alestra, DCA #040217, Auctioneer, as the law directs, FOR CASH ONLY, on the 14th day of August, 2013, at 2:00 o'clock in the afternoon, at THE SHERIFF'S OFFICE, 66 JOHN ST. 13th FLOOR NYC NY 10038 in the county of Queens all the right, title and interest which MICHAEL WANG, the judgment debtor, had on 7th day of August 2012, or at anytime thereafter, of, in and to the following properties:

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Borough of Queens, County of Queens, City and State of New York, and more particularly, bounded and described as follows: BEGINNING at a point on the Westerly side of Farrington Street, the distant 183.51 feet Northerly from the corner formed by the intersection of the Westerly side of Farrington Street and the Northerly side of Northern Boulevard, and from the said point, RUNNING THENCE Northerly along the Westerly side of Farrington Street, 15.87 feet; THENCE Westerly at right angles to the Westerly side of Farrington Street, 83.70 feet; THENCE Southerly on a line forming an interior angle with the preceding course of 86 degrees 12 minutes 05 seconds, a distance of 15.71 feet; THENCE Easterly on a line forming an interior angle with the preceding course of 93 degrees 47 minutes 55 seconds, a distance of 82.74 feet to the Westerly side of Farrington Street at the point or place of BEGINNING.  
Said premises being known as and located at: 35-20 Farrington Street, Flushing, New York 11354, Borough of Queens, County of Queens, City and State of New York, and designated as Block 495B, Lot 36 on the Queens County Tax Map.

EDGAR A. DOMENECH  
Sheriff of the City of New York  
Deputy Sheriff Ophelus Cuffaro  
Tel (718) 615-6576 Case# Q12-035134

**SHERIFF'S SALE**  
AN EXECUTION ISSUED OUT OF THE SUPREME COURT, NEW YORK COUNTY, in favor of NATIONAL ASSET MANAGEMENT, LLC, judgment creditor, against RAYMOND GREHAN, to me directed and delivered, I WILL SELL AT PUBLIC AUCTION, by DENNIS ALFREDA DCA # 0840217, auctioneer, as the law directs, FOR CASH ONLY, on the 14th day of AUGUST, 2013, at 2:00 o'clock in the AFTERNOON, at THE SHERIFF'S OFFICE, 66 JOHN ST. 13TH FLOOR NYC NY 10038 in the county of NEW YORK all the right, title and interest which RAYMOND GREHAN, the judgment debtor(s), had on the 25th day of OCTOBER 2012, or at anytime thereafter, of, in and to the following properties:

The Condominium Unit (the "Unit") in the premises known as Central Condominium and by the street number 18 West 48th Street, Borough of Manhattan, City, County, and State of New York, said unit being designated and described as Residential Unit No. 19E in the declaration ("Declaration") establishing a plan for condominium ownership of said premises, under Article 9-B of the Real Property Law of the State of New York, dated January 17, 2007, and recorded in the New York County Office of the Register of the City of New York (the "City Register's Office") on April 6, 2007, in CRFN 2007000177637, and also designated as Tax Lot 1085 in Block 1263 of the Borough of Manhattan on the Tax Map, and on the Floor Plans of said building filed in the City Register's Office on April 6, 2007 under CRFN 200700177638, together with an undivided 0.66576% percentage interest in the General Common Elements, as defined in the Declaration.

EDGAR DOMENECH  
SHERIFF OF THE CITY OF NEW YORK

DEPUTY BERNARD WAITES  
(212) 291-4989  
CASE# 13018324

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**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

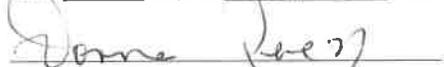
**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **Newsday** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **14<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

NOTICE OF SALE SUPREME COURT COUNTY OF QUEENS U.S. BANK NATIONAL ASSOCIATION, N.A. AS TRUSTEE FOR THE HOLDER OF BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2006-1M1, Plaintiff, against ADLISE ALIDA, et al. Defendants. Pursuant to a Judgment of Foreclosure and Sale dated 4/7/2013, I, the undersigned Referee will sell at public auction at the Queens County Courthouse at Courtroom # 25-11, 30th Street, Jamaica, New York on 7/17/13 at 10:00AM, proceeds known as 22-12 14TH AVENUE, Springfield Gardens, NY 11413 All that certain plot piece or parcel of land, with the buildings and improvements erected, situated, located and bounded by the City and County of Queens, State of New York, Block: 13435 Lot: 42, 36-13435-42, containing an amount of Judgment \$543,444.38 plus interest and costs. Premises will be sold subject to provisions of the Judgment in effect 1/19/13. Catherine R. Glover, Esq., Referee Gross, Pottery & Drilling, Attorney for Plaintiff, P.O. Box 540, Getzville, NY 14064 Dated: May 3, 2013 13435-42

HARLEY DAVIDSON WANTED All other makes as well. Cash paid. Pvt. 516-866-4444 HARLEY V12 Ultra Classic L16 All stock, only 1400 mi. Excel Cond. 411-653-3213

HARLEY MOTOR TRUCK CLASSIC 1600 cc Harley Davidson motorcycle. Harley Davidson, 485 cc, 440 cc, 460 cc, 480 cc, 500 cc, 540 cc, 600 cc, 650 cc, 700 cc, 750 cc, 800 cc, 850 cc, 900 cc, 950 cc, 1000 cc, 1100 cc, 1200 cc, 1300 cc, 1400 cc, 1500 cc, 1600 cc, 1700 cc, 1800 cc, 1900 cc, 2000 cc, 2100 cc, 2200 cc, 2300 cc, 2400 cc, 2500 cc, 2600 cc, 2700 cc, 2800 cc, 2900 cc, 3000 cc, 3100 cc, 3200 cc, 3300 cc, 3400 cc, 3500 cc, 3600 cc, 3700 cc, 3800 cc, 3900 cc, 4000 cc, 4100 cc, 4200 cc, 4300 cc, 4400 cc, 4500 cc, 4600 cc, 4700 cc, 4800 cc, 4900 cc, 5000 cc, 5100 cc, 5200 cc, 5300 cc, 5400 cc, 5500 cc, 5600 cc, 5700 cc, 5800 cc, 5900 cc, 6000 cc, 6100 cc, 6200 cc, 6300 cc, 6400 cc, 6500 cc, 6600 cc, 6700 cc, 6800 cc, 6900 cc, 7000 cc, 7100 cc, 7200 cc, 7300 cc, 7400 cc, 7500 cc, 7600 cc, 7700 cc, 7800 cc, 7900 cc, 8000 cc, 8100 cc, 8200 cc, 8300 cc, 8400 cc, 8500 cc, 8600 cc, 8700 cc, 8800 cc, 8900 cc, 9000 cc, 9100 cc, 9200 cc, 9300 cc, 9400 cc, 9500 cc, 9600 cc, 9700 cc, 9800 cc, 9900 cc, 10000 cc, 10100 cc, 10200 cc, 10300 cc, 10400 cc, 10500 cc, 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**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

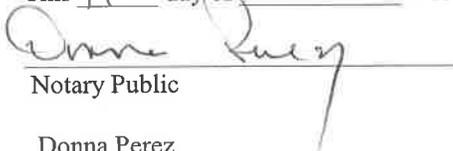
**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **Rockaway Wave** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the 14<sup>th</sup> day of **June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

LEGAL NOTICES

Grand 6401 LLC Arts of Org filed with NY Sec of State (SSNY) on 2/12/13. Office: Queens County. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: c/o Il Joon Kwon, 64-05 Central Ave, Glendale, NY 11385. General Purposes. #2013-110, 6x 5/10-6/14/13

3 BIRCHWOOD DRIVE LLC Articles of Org. filed NY Sec. of State (SSNY) 4/17/13. Office in Queens Co. SSNY design. agent of LLC upon whom process may be served. SSNY shall mail copy of process to 67-70 Yellowstone Blvd., 2H, Forest Hills, NY 11375. Purpose: Any lawful purpose. Principal business location: 3 Birchwood Dr., Fredonia, NY 14063. #2013-111, 6x 5/10-6/14/13

Notice of formation of 60-10 146 REALTY LLC. Articles of Organization filed with the Secretary of State of New York SSNY on FEBRUARY 04, 2013. Office location in Queens. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC 60-10 146 STREET FLUSHING, NEW YORK, 11355. Purpose: any lawful purpose. #2013-112, 6x 5/10-6/14/13

Notice of Formation of a Domestic Limited Liability Company, Name of LLC: Affordable New York LLC. Date of filing of Articles of Organization with the NY Dept of State. Office of the LLC: 74-06 64th Lane Ridgewood, NY 11385. The NY Secretary of State has been designated as the agent upon whom process may be served. NYSS may mail a copy of any process to the LLC at 74-06 64th lane Ridgewood, NY 11385. Purpose of LLC: Develop sustainable affordable housing. #2013-115, 6x 5/17-6/21/13

LEGAL NOTICES

Notice of Formation of Smart Cookie Desserts LLC. Arts of Org. filed with NY Secy of State (SSNY) on 4/3/13. Office: Queens. SSNY is designated as agent of LLC upon whom process against it may be served and shall mail process to: C/O Judith Sennesh 150-38 Union Tpke #5H Flushing, NY 11367. Purpose: any lawful activity. #2013-116, 6x 5/24-6/28/13

AARON & EMMA LLC Articles of Org. filed NY Sec. of State (SSNY) 2/20/13. Office in Queens Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to Yanbing Xia 8175 89th St. FL 1 Queens, NY 11421. Purpose: Any lawful activity. #2013-118, 6x 5/24-6/28/13

SOLURUM GROUP LLC Articles of Org. filed NY Sec. of State (SSNY) 2/20/13. Office in Queens Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to C/O United States Corporation Agents, Inc. 7014 13th Ave Ste. 202 Brooklyn, NY 11228. Purpose: Any lawful activity. Registered Agent: United States Corporation Agents, Inc. 7014 13th Ave Ste. 202 Brooklyn, NY 11228. #2013-119, 6x 5/24-6/28/13

File No. 2012-2720/A CITATION THE PEOPLE OF THE STATE OF NEW YORK BY THE GRACE OF GOD, FREE AND INDEPENDENT TO: NYC Department of Human Resources Attorney General of the State of New York. The unknown distributees, legatees, devisees, heirs at law and assignees of Florence Gittens, deceased, or their estates, if any there be, whose names, places of residence and post office addresses are unknown to the petitioner and cannot with due diligence be ascertained. Being the persons interested as creditors, legatees, distributees or otherwise in the Estate of Florence Gittens, deceased, who at the time of death

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was a resident of Flushing Manor Care Center, 35-15 Parsons Boulevard, Flushing, NY 11354, in the County of Queens, State of New York. SEND GREETING: Upon the petition of LOIS M. ROSENBLATT, Public Administrator of Queens County, who maintains her office at 88-11 Sutphin Boulevard, Jamaica, Queens County, New York 11435, as Administrator of the Estate of Florence Gittens, deceased, you and each of you are hereby cited to show cause before the Surrogate at the Surrogate's Court of the County of Queens, to be held at the Queens General Courthouse, 6th Floor, 88-11 Sutphin Boulevard, Jamaica, City and State of New York, on the 11th day of July, 2013 at 9:30 o'clock in the forenoon, why the Account of Proceedings of the Public Administrator of Queens County, as Administrator of the Estate of said deceased, a copy of which is attached, should not be judicially settled, and why the Surrogate should not fix and allow a reasonable amount of compensation to GERARD J. SWEENEY, ESQ., for legal services rendered to petitioner herein in the amount of \$4,127.82 and that the Court fix the fair and reasonable additional fee for any services to be rendered by GERARD J. SWEENEY, ESQ., hereafter in connection with proceedings on kinship, claims etc., prior to entry of a final Decree on this accounting in the amount of 6% of assets or income collected after the date of the within accounting; and why the Surrogate should not fix and allow an amount equal to one percent on said Schedules of the total assets on Schedules A, A1, and A2 plus any additional monies received subsequent to the date of this account, as the fair and reasonable amount payable to the Office of the Public Administrator for the expenses of said office pursuant to S.C.P.A. §1106(4); and why NYC Department

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of Human Resources should not be paid \$38,280.70 in full satisfaction of their claim; and why each of you claiming to be a distributee of the decedent should not establish proof of your kinship; and why the balance of said funds should not be paid to said alleged distributees upon proof of kinship, or deposited with the Commissioner of Finance of the City of New York should said alleged distributees default herein, or fail to establish proof of kinship, Dated, Attested and Sealed 17th day of May, 2013. HON. PETER J. KELLY, Surrogate, Queens County, Margaret M. Gribbon, Clerk of the Surrogate's Court. GERARD J. SWEENEY, ESQ., (718) 459-9000, 95-25 Queens Boulevard, 11th Floor, Rego Park, New York 11374. This citation is served upon you as required by law. You are not obliged to appear in person. If you fail to appear it will be assumed that you do not object to the relief requested unless you file formal legal, verified objections. You have a right to have an attorney-at-law appear for you. Accounting Citation. #2013-121, 4x 5/24-6/14/13

Wan Xing, LLC Arts of Org filed with NY Sec of State (SSNY) on 5/8/13. Office: Queens County. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 171 Mott St, NY, NY 10013. General Purposes. #2013-122, 6x 5/31-7/5/13

NOTICE OF FORMATION OF 1877 Harman Street LLC. Articles of Organization filed with Sec. of State of NY (SSNY) on 4/3/2013. Office location: Queens County. SSNY has been designated for service of process. SSNY shall mail a copy of any process served against the LLC to the LLC at 73-22 Juniper Valley Road, Middle Village, NY 11379. Purpose: any lawful purpose. #2013-123, 6x 5/31-7/5/13

LEGAL NOTICES

KAPPEL PROPERTIES I LLC, a foreign LLC, filed with the SSNY on 5/7/13. Office location: Queens County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, c/o Ana R. and Hermann Kappel, 46-38 66th St., Woodside, NY 11377. General Purposes. #2013-124, 6x 6/7-7/12/13

Notice of formation of L.D.I. LLC, a limited liability company (LLC). Articles of Organization filed with Secretary of State of N.Y. (SSNY) on 04/25/2012. Office location: Queens County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: 196-17 53rd Avenue, Fresh Meadows, NY 11365. Purpose: Any lawful activity. #2013-125, 6x 6/7-7/12/13

30-80 DEVELOPMENT, LLC, a domestic LLC, Arts. of Org. filed with the SSNY on 3/30/05. Office location: Queens County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: c/o Andrew S Hirsch Esq, 855 Ave of the Americas, Ste 200, NY, NY 10001. General Purposes. #2013-126, 6x 6/7-7/12/13

NOTICE OF SALE SUPREME COURT, QUEENS COUNTY. ASTORIA FEDERAL MORTGAGE CORP. vs. ERNEST E. BRAUN, et al., defts. Index No. 722/10. Pursuant to a Judgment of Foreclosure and Sale entered December 28, 2012, I will sell at public auction to the highest bidder in Court Room 25 of the Queens County Supreme Court House, 88-11 Sutphin Boulevard, Jamaica, NY on July 12, 2013 at 10:00 in the forenoon, the premises described as follows: BEGINNING at a point on the easterly side of Waterview Street, distant 230.50

Legals continued on page 53

City of New York Office of Management and Budget (OMB) Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

To: All interested Agencies, Groups, and Individuals. This publication gives notice that New York City has conducted an evaluation of the proposed NYCHA Houses Rehabilitation and Reconstruction (NYCHAs) program, also known as NYC Build It Back, as required by Executive Order 11988 in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. This evaluation is made to determine the potential effect that proposed activities in the floodplain will have on the human environment. Through the Disaster Preparedness Act, 2012, NYC will receive federal Community Development Block Grant (CDBG)-Disaster Recovery (DR) funding from HUD in the amount of \$305,000,000 to execute NYCHAs. 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 Funding (January 29, 2013) and The City's Partial Action Plan A for CDBG-DR (April 2013) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the rehabilitation and reconstruction activities to be executed under NYCHAs. The assistance provided under NYCHAs is restricted to eligible NYC residents.

NYCHAs has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values of its floodplains:

Action Outside the Floodplain: It is anticipated that some percentage of applicants eligible for NYCHAs would not occupy homes on properties situated within the 100-year floodplain at the time of Hurricane Sandy, and will be eligible for assistance. For applicants with properties situated in vulnerable floodplain and/or in a sensitive coastal management zone who seek relocation outside these vulnerable areas, another NY State-funded program, planning for limited property buyout opportunity.

Proposed Action in the Floodplain: The City expects many NYCHAs applicants will elect to return to their properties situated in or adjacent to the floodplain. Alternative approaches to protecting properties in these areas have been considered for the City's CDBG-DR housing programs. For NYCHAs, action will include elevation of structures to comply with the City's National Flood Insurance Program, and FEMA's Advisory Base Flood Elevation + 1 foot freeboard (ABFE+1), or the Preliminary Flood Insurance Rate Maps (P-FIRM) plus 2 foot freeboard when they are issued +2 feet. Additional measures to meet the City-adopted Enterprise Green Community Standards include stormwater management and other measures to be incorporated into the design of projects. The owners of properties situated in the floodplain will be required to purchase and maintain flood insurance for a specified number of years.

No Action: This alternative does not achieve the City goals of restoring the health and safety of hurricane-damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future weather extremes. Residents would continue to be displaced from their homes located in the floodplain, 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.

Tier 1 Environmental Review of the Proposed Action for NYCHAs 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 are changing, and replacement structures will be comparable to pre-disaster housing, and 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 less than the anticipated positive impacts. Mitigation measures will be implemented to minimize potential impacts. As a result, moderate income households most heavily impacted by Hurricane Sandy represent the priority population targeted for receipt of NYCHAs assistance, environmental justice concerns are addressed by offering safe, affordable, energy efficient homes to at least 50% of eligible applicants from these income categories. These results indicate a finding of no significant impact on the human environment from the proposed NYCHAs. Site-specific review will help determine potential environmental impacts, beyond the possible temporary impacts applicable for residential development. Since NYCHAs houses will conduct construction activities on existing residential developed sites and or existing structures with appropriate site-specific mitigation, no impacts to the floodplain are anticipated as a result of the proposed action.

This notice is required by Section 2(a)(4) of Executive Order 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. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain. The confirmation of adverse locations is in progress, but initial estimates indicate applications for residential development 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 10:00 AM to 5:00 PM. To review the floodplain maps of the affected sites, visit www.region2coastal.com. The posting of the floodplain maps is also available on the City's website at www.nyc.gov/buildback and the City's "Rebuild It Back" website. The City is interested in alternative 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. Comments must be received in writing by mail to the above address or submitted via email to CDBGDR-enviro@omb.nyc.gov. The minimum 7 calendar day comment period will begin the day after the publication and end on the fifth day after the publication. All comments should be received by OMB on or before June 21, 2013.

City of New York, Office of Management and Budget, Mark Page, Director. Date: June 14, 2013

City of New York Office of Management and Budget (OMB) New York City Housing Authority (NYCHA) Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

To: All interested Agencies, Groups, and Individuals. This publication gives notice that New York City has conducted an evaluation of the proposed NYCHA Public Housing Rehabilitation and Resilience (NYCHA Public Housing) program, also known as NYC Build It Back, as required by Executive Order 11988 and 11990, in accordance with HUD regulations 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands and, respectively. These evaluations are made to determine the potential effects that proposed activities in the floodplain and wetland associated with will have on the human environment. NYC will receive federal Community Development Block Grant (CDBG)-Disaster Recovery (DR) funding from HUD in the amount of \$108,000,000 to execute the NYCHA Public Housing program. 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 Funding (January 29, 2013) and The City's Partial Action Plan A for CDBG-DR (April 2013) establish an outline of eligibility requirements, recovery priorities, and the method of distribution for the rehabilitation resilience activities under the NYCHA Public Housing program.

NYCHAs has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values of its floodplains:

Action Outside the Floodplain: NYCHA has considered a limited action alternative that restricts CDBG-funded action only to hurricane Sandy-damaged public housing facilities outside the 100-year floodplain and wetlands. Under this approach, NYCHA's housing facilities located in the 80-year floodplains would be targeted for rehabilitation and resilience measures. Therefore, emergency power generation systems would only be provided to its public housing facilities outside the 100-year floodplain and wetlands, which did not experience damage to their building systems, and where low-income tenant families did not experience extraordinary disruption of utility services during or following Hurricane Sandy. This approach, if applied would NYCHA's housing facilities located in FEMA's revised 500-year floodplain, would signify the application of resilience measures for buildings potentially vulnerable to extreme flooding. Resilience measures to be applied toward further building system resilience measures systems serving those same properties, improve community centers situated in the 500-year floodplain, and facilitate relocation of the Emergency Operations Center (EOC). However, this alternative would still leave thousands of low-income families at risk for extraordinary disruption in their utility services should flooding again damage the power systems in the housing facilities they live in to the 100-year floodplain. The City thus considers that the potential risk for cyclic and costly emergencies for NYCHA is unacceptable, particularly given the large residential population it serves and the current understanding of how climate change conditions may produce future extreme storm events.

Proposed Action in the Floodplain: The City proposes to use CDBG-DR funds to fully restore building systems and service functions to NYCHA's residential facilities, and rehabilitating the City's Community Centers in the 100-year floodplain, while preserving these critical investments by making them more resilient to future storm forces. Funds will be applied toward the purchase of energy efficient standby generators, electrical and mechanical systems or alternate heating generating systems, as appropriate, to reduce vulnerability to the loss of critical services during emergency conditions. These measures will help avoid disruption to thousands of NYCHA's tenant families during future storm events. Other critical vulnerable building systems would also be targeted for resilience measures. These systems will be sustainably designed, and installed above the base flood elevation as required by FEMA for NYCHA participation in the NFIP, thus making these buildings they serve more resilient, as well as promoting the preservation of the City's vital public housing assets. A portion of the funds would help establish a new EOC with a standard Incident Command Structure.

Flood hazard prevention and mitigation measures for NYCHA facilities situated in the floodplain include the installation of new mechanical systems. The relocation of vulnerable building systems will comply with floodplain management requirements. The City's intention is to use the Preliminary Flood Insurance Rate Maps (P-FIRM) for NYC when they are issued, and require these CDBG-funded projects to be constructed plus freeboard to protect residents in these facilities. Freeboard is one or two feet, and depends on applicable building occupancy and flood zone. Additional measures to protect tenants will be incorporated into construction plans and include standard construction Best Management Practices to minimize effects on water quality and wetland habitat from construction activities that could otherwise be impacted by uncontrolled storm water runoff from project sites.

No Action: This alternative does not achieve the City goals of restoring Hurricane Sandy-damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future weather extremes. Under the no-action alternative, neither permanent repairs nor resilience measures would be funded by CDBG-DR or implemented at NYCHA residential facilities as provided in the proposed action alternative, unless or until alternative funding could be arranged. Without the permanent repairs NYCHA residential facilities would remain in varying degrees of disrepair, potentially posing health and safety hazards as well as continued disruption to tenant families. These important residential buildings and NYCHA community centers would remain vulnerable to future storm forces, continue to deteriorate, thus becoming less functional for the City's low-income population served.

This FINAL NOTICE FOR PUBLIC REVIEW OF A PROPOSAL TO SUPPORT ACTIVITY IN A 100-YEAR FLOODPLAIN is required by Section 2(a)(4) of Executive Orders 11988 and 11990, respectively for Floodplain Management and Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain or wetland. NYCHA proposes to use CDBG-DR funds for rehabilitation and resilience activities at residential facilities located within the 100-year floodplain.

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 10:00 AM to 5:00 PM. This posting can be found by using the following link http://www.nyc.gov/buildback and then clicking on "Reports and Public Notices". To review the floodplain maps of the affected sites, visit www.region2coastal.com. The City is interested in alternative 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. Comments must be received in writing by mail to the above address or submitted via email to CDBGDR-enviro@omb.nyc.gov. The minimum 7 calendar day comment period will begin the day after the publication and end on the 8th day after the publication. All comments should be received by OMB on or before June 21, 2013.

City of New York, Office of Management and Budget, Mark Page, Director. Date: June 14, 2013

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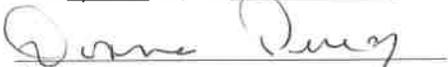
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Alison Bloom

**Subscribed to and  
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This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

LOCAL NEWS

Question: Should an independent monitor be named to oversee any stop-and-frisk reforms?



Joseph Ramalho, 29, Annadale

"I don't like when the government steps into anything, usually, I'm a teacher... In any case I'd be the kids. I mean I don't mind if people stop and frisk me if I look suspicious, personally, as long as it makes everyone safer, or feel safer."



Brittany Peters, 22, Arden Heights

"I think it's [the NYPD] just stereotyping. I'm totally against it."



Nuh Duraku, 25, St. George

"I think [overnight of the NYPD] sounds good because they don't have the right to just stop anybody on the street if they're just walking home from work late at night, and then they have a hood on..."



Tika White, 27, St. George

"I think they're [the NYPD] just picking on people... We need the government to step in."



Walter Christian, 75, Annadale, Retired NYPD sergeant

"I think the biggest issue of stop and frisk is the mindset of people that won't submit to a stop-and-frisk that's done properly. There's that thought among a lot of politicians just for the sake of votes... If you wanna really reduce crime, stop-and-frisk is a valuable tool if properly done... I think politics poisons police."



Joseph Konigsberg, 23, New Springville

"I don't see how they can regulate the stop-and-frisk thing because they're still just going to continuously do it and the government's not gonna stop the police... I think it just perpetuates racial profiling."



Latisha Seton, 22, New Brighton

"They always just look for that young kid who they think is doing something wrong. I think it would be a better thing for them to really look over it and see how they're doing things."



The Rev. Al Sharpton, center, walks with Manhattan demonstrators against the stop-and-frisk program in this June 2012 photo.

Justice Dept. weighs in on stop-frisk

City lawyers, the mayor and police commissioner have argued the stops are not wrongful

By COLLEEN LONG ASSOCIATED PRESS

The U.S. Justice Department has treaded carefully into the debate over the NYPD's stop, question and frisk policy, telling a federal judge that it strongly endorses an independent monitor to oversee changes should she decide civil rights violations have occurred.

Lawyers for the Justice Department filed a 21-page statement of Interest in the case late Wednesday, the last day to file paperwork. The court papers say the government was weighing in "only in order to assist the court on the issue of remedy, and only should it find that NYPD's stop-and-frisk practices are unlawful." It did not say whether it believed the practices to be unconstitutional.

"The department has extensive experience working to ensure that police services are delivered in an effective, constitutional manner," the Justice Department said in a statement following the court filing. "Our statement of interest is intended to share our experience relevant to fashioning an appropriate remedy, should it be required."

WHAT YOU SAID NEWS POLL RESULTS

Should an independent monitor be appointed to oversee any stop-and-frisk reforms?

19 39% Yes. If changes are needed, the NYPD shouldn't handle training, supervision and policy.

10 33% No. Any outside changes could hamper the NYPD from doing its job.

VOTE ONLINE www.silve.com/news

hundreds of thousands of those stops were unconstitutional, and they want a monitor to oversee changes in police department training, supervision and policy.

City lawyers, the mayor and the police commissioner have all argued that the stops are not wrongful, and the policy is a necessary crime-fighting tool that has helped drive down crime to record lows. Several police officials testified at the trial about how stops are conducted, and many officers disputed the witnesses' version of the encounter. In order to stop someone, police need reasonable suspicion, a standard lower than probable cause, which is needed to justify an arrest.

Mayor Michael Bloomberg on Thursday lambasted the idea of a monitor.

"This is just a terrible idea, and it's not needed," he said, reiterating his arguments that such oversight could muddy officers' understanding of the rules and authority they are to follow.

The NYPD has brought crime down in a way that nobody, nobody thought was

More on the web

For additional photos of Staten Islanders discussing the stop and frisk policy, go to silve.com/newsjax.

possible... The NYPD has just done a spectacular job, and it just makes no sense whatsoever when lives are on the line to change the rules and hamper the Police Department from doing their job. They comply with the law; we are 100 percent confident in that."

The Justice Department paperwork, first reported by the New York Daily News, did not mention the merits of the other reforms requested.

In its statement, the Justice Department noted that it sought and secured reforms of police misconduct in dozens of law enforcement agencies nationwide, and gave the judge citations to pursue the cases. It singled out as a particular success a 1997 consent decree in Pittsburgh where reforms were overseen by a monitor until 2002.

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City of New York Office of Management and Budget (OMB) New York City Housing Authority (NYCHA) Final Notice and Public Examination of a Proposed Activity in a 100-Year Floodplain

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Notary Public

Donna Perez  
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0805 Avisos Legales

**0805 Avisos Legales**

La Ciudad de Nueva York Oficina de Administraci3n y Presupuesto (OMB) Agencia de Vivienda de la Ciudad de Nueva York (NYCHA) Aviso Final y Explicaci3n P3blica de una Actividad Propuesta en los Territorios de 100 Años de fundaci3n

Para: Todas las agencias, grupos e individuos interesados

Por este medio se da a vial que la ciudad de Nueva York ha realizado una evaluaci3n del programa propuesto por NYCHA para Rehabilitaci3n y Fortalecimiento de Viviendas P3blicas (NYCHA Public Housing) por sus siglos en ingreso, lberaci3n jurisdicci3n como NYC Bus & Bx, como lo requieren los Decretos 11980 y 11960, conforme a las Regulaciones de HUD 24 CFR 95.20 Subparte C Procedimientos para Hacer Determinaciones de Manejo de Terrenos Afectados y Protecci3n de Humedales, respectivamente. Estas evaluaciones se realizan para determinar los efectos potenciales asociados con las actividades propuestas en terrenos, humedales y humedales sobre el medio ambiente humano. NYC recibir3n fondos de una Subvenci3n Federal de Desarrollo Comunitario (CDBG)-Recuperaci3n ante Desastres (DR) de HUD en la cantidad de \$106,000,000 para ejecutar el Programa de Vivienda P3blica de NYCHA. Estos fondos fueron asignados por HUD para abordar las necesidades inmediatas de vivienda como resultado del Huracán Sandy que afectaci3n a la ciudad en octubre de 2012. Los fondos de CDBG DR de enero de 2013 y el Plan de Acci3n Fiscal A de la ciudad para el CDBG DR (abril de 2013) establecen un esquema de los requisitos de elegibilidad, las prioridades de recuperaci3n y el m3todo de distribuci3n para las actividades de fortalecimiento y rehabilitaci3n bajo el programa de Vivienda P3blica de NYCHA.

NYC ha considerado las siguientes alternativas y medidas de mitigaci3n para minimizar los impactos adversos y para restaurar y preservar los valores hist3ricos y beneficios de sus Terrenos Afectados:

**Acci3n Fuera de Terreno de Inundaci3n:** NYCHA ha considerado como alternativa una acci3n limitada que restringe la acci3n de los fondos CDBG solo a las instalaciones de las viviendas p3blicas daadas por el Huracán Sandy ubicadas fuera de terrenos de 100 años de fundaci3n y humedales bajo este enfoque, las viviendas de NYCHA ubicadas en terrenos de 500 años de fundaci3n ser3n desahucadas para rehabilitaci3n y para medidas de resistencia. Por lo tanto, los sistemas de generaci3n de energ3a de emergencia ser3n preservados en sus instalaciones de vivienda p3blica fuera de los terrenos de 100 años de fundaci3n y humedales, que no sufrieron daos en sus sistemas de construcci3n, y donde las familias requieren de apoyo financiero no experimentaban emergencia viciosa de los servicios p3blicos durante o segudo al Huracán Sandy. Este enfoque, si se aplica a los terrenos de vivienda de NYCHA ubicados en terreno de 500 años de fundaci3n revisado por FEMA, aplicaci3n a la aplicaci3n de medidas de resistencia para edificios vulnerablemente vulnerables a inundaciones externas. Los fondos restaurados por la TCN pod3n ser asignados para mejorar la resistencia del sistema de edificio con medidas que s3n a estas mismas propiedades, mejorar centros comunitarios, situadas en terreno de 500 años de fundaci3n y facilitar la modificaci3n del Centro de Operaciones de Emergencias (EOC). Sin embargo, esta alternativa seguir3 dependiendo a miles de familias de bajos ingresos en riesgo de viciosa viciosa de los servicios p3blicos durante o segudo al Huracán Sandy. Este enfoque, si se aplica a los terrenos de vivienda de NYCHA ubicados en terreno de 500 años de fundaci3n, la ciudad considera que el riesgo potencial de emergencias c3clicas y costosas para NYCHA es inaceptable, especialmente teniendo en cuenta la numerosa poblaci3n transitoria que vive y que permanece actual de que las condiciones clim3ticas cambiantes pod3ran producir futuras tormentas externas.

**Acci3n Propuesta en Terrenos de Inundaci3n:** La ciudad propone utilizar los fondos de CDBG DR para restaurar completamente los sistemas de edificios, funciones de servicio para las instalaciones residenciales de NYCHA y rehabilitar los Centros Comunitarios de la ciudad en terrenos de 100 años de fundaci3n, considerando estas estructuras cr3ticas, vulnerables a las tormentas futuras. Los fondos se aplican a la compra de generadores de energ3a eficientes de emergencia y medidas de sistemas externos de construcci3n, segun sea apropiado, para reducir la vulnerabilidad o la p3rdida de servicios cr3ticos durante situaciones de emergencia. Estas medidas ayudar3n a evitar interrupciones a miles de familias de ingresos de NYCHA durante futuras tormentas. Otras sistemas cr3ticos vulnerables s3n ser3n abordados para medidas de resistencia. Estos sistemas s3n de diseo sostenible e instalados por encima de la base de elevaci3n de inundaci3n contra lo requiere FEMA para poder participar en el NIPAP de NYCHA, haciendo s3n y los edificios a las que s3n las estructuras de construcci3n estandar de Mejoras P3blicas de la ciudad para mejorar la vivienda p3blica de la ciudad. Una porci3n de los fondos ayudar3n a establecer un nuevo EOC con una Estructura de Comando de Incidento Estandar. Las medidas de prevenci3n y mitigaci3n de riesgos de inundaci3n para las instalaciones de NYCHA, situadas en terrenos de inundaci3n incluyen la instalaci3n de nuevas estructuras mec3nicas. La restauraci3n de sistemas de edificios vulnerables deber3 cumplir con los requisitos de manejo en terreno afectado. La intenci3n de la ciudad es de utilizar los Mapas de Tasas Precomunes para Seguros de Inundaci3n (IP-FIRM) para la ciudad de NY cuando se emitan y exigir que estas propiedades financiadas por el CDBG cumplan con la elevaci3n IP-FIRM adem3s de proporcionar para proteger las inversiones en estos edificios. El financiamiento es uno o dos p3s, y depende de la ocupaci3n aplicable del edificio y de la zona de inundaci3n. Medidas adicionales para proteger los humedales se incorporan a los planes de construcci3n e incluyen la construcci3n estandar de Mejoras P3blicas de la ciudad para minimizar los efectos sobre la calidad del agua y el habitat de los humedales de las actividades de construcci3n que de la construcci3n pod3n ser instaladas por el cumplimiento de aguas de tormentas descontroladas en los usos del proyecto.

**Ninguna Acci3n:** Esta alternativa no logra los objetivos de la ciudad de restauraci3n de las viviendas daadas por el Huracán Sandy y para sus residentes, ni promueve la planificaci3n e implementaci3n de medidas de resistencia para mejorar los daos causados por tormentas externas en el futuro. Bajo la alternativa de no acci3n, ni las reparaciones permanentes ni las medidas de resistencia s3n financiadas por CDBG DR o asignadas para las instalaciones residenciales de NYCHA como se describe en la alternativa de la acci3n propuesta, a menos que o hasta que se puedan encontrar alternativas de financiaci3n. Sin las reparaciones permanentes las instalaciones residenciales de NYCHA permanecer3n en diversos grados de deterioro, poniendo en riesgo la salud y seguridad, as3 como interrupci3n continuada para las familias de ingresos. Estos importantes edificios residenciales y centros comunitarios de NYCHA seguir3n siendo vulnerables a las fuerzas de tormentas futuras, continuar3n deterior3ndose, convirti3ndose as3 en centros funcionales para la poblaci3n de bajos ingresos a las cuales vive la ciudad.

**Este AVISO FINAL PARA REVISI3N DEL P3BLICO DE LA PROPUESTA PARA APOYAR UNA ACTIVIDAD EN UN TERREO DE 100 AÑOS DE INUNDACION** lo requiere la Secci3n 216(a) de los Decretos 11980 y 11960, respectivamente para el manejo de terrenos, afectados y protecci3n de los humedales y s3n implementado por las Regulaciones de HUD que se encuentran en el 24 CFR 95.20 Subparte C Procedimientos para Hacer Determinaciones sobre el Manejo de Terrenos Afectados. El Paso 3 del Proceso de Determinaci3n incluye avisos p3blicos y el examen de posibles alternativas a la construcci3n en terrenos de inundaci3n o humedales. NYCHA propone utilizar los fondos de CDBG DR para actividades de rehabilitaci3n y actividades de refuerzo en las instalaciones residenciales de viviendas situadas en terrenos de 100 años de fundaci3n.

Informaci3n adicional del proyecto incluyendo mapas de inundaci3n de los sitios afectados figuran en el Registro de Revisi3n Ambiental adjunto en los archivos de: Calvin Johnson, Assistant Director, 255 Greenwich Street, 8th Floor, New York, NY 10007 y pueden examinarse de 10:00AM a 5:00PM. Esta publicaci3n se puede encontrar usando el siguiente enlace: <http://www.nyc.gov/buildback> y luego hacer clic en "Reports and Public Notices". Para revisar los mapas de inundaci3n de los sitios afectados, visite [www.regionsonline.com](http://www.regionsonline.com). La ciudad est3 interesada en alternativas y las percepciones del p3blico de posibles impactos adversos que pueda causar el proyecto as3 como posibles medidas de mitigaci3n.

Todas las personas interesadas, grupos y agencias est3n invitadas a presentar observaciones por escrito sobre el propuesto uso de los fondos federales para apoyar un proyecto ubicado en un terreno afectado. Los comentarios deben hacerse por escrito y enviarse por correo a la direcci3n antes mencionada o por correo electr3nico a [CDBGDR@nyc.gov](mailto:CDBGDR@nyc.gov). El periodo m3ximo de comentarios es de 7 d3as contados a partir de la fecha de la publicaci3n de este aviso y finalizar3 el d3a despu3s de la publicaci3n de este aviso. Todos los comentarios deben ser recibidos por la OMB en o antes del 21 de junio de 2013.

Nueva York, Oficina de Administraci3n y Presupuesto, Mark Page, Director  
Fecha: 14 de junio de 2013

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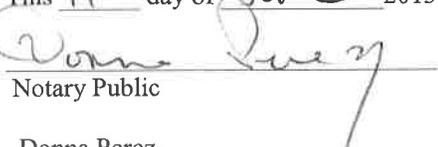
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Alison Bloom

**Subscribed to and  
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This 14<sup>th</sup> day of June 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

# 利用出差為競選籌款

# 柯魁英向主辦方報銷旅費惹爭議

紐約市市長候選人柯魁英日前因被指將競選經費用於全職各地旅行的巡迴宣傳，引起外間對其巡迴宣傳費用是否應由公帑撥付的爭議。

【華爾街日報】報導，背著柯魁英競選市長並已為他籌集了16萬5000元的PAC(同姓團體)基金會，為柯魁英參加基金會休斯敦、聖地牙哥和芝加哥三地舉行的籌款會支付了旅費。根據柯魁英競選團隊向紐約市競選財務委員會遞交的報告顯示，柯魁英在參加基金會籌款活動的同時，從這三個城市的數十位捐款人處共獲得約25萬元的資金。以上兩項的一次籌款活動為例，文件顯示他有意參加了另一場自己競選市長基金會的活動，而紐約市競選財務委員會資料顯示，「其基金會」為那場次休斯敦之行共支付了數額在1000元至5000元之間的不

的電匯出席這些活動時，一些捐款人肯定會將資金直接給他的團隊作為競選市長之用。這樣一來他很大程度上是從原本非公益性的活動中直接受益。對於外間的批評和猜疑，柯魁英週四在皇后區出席的一次記者會上對於媒體的質疑不接不迭以反駁。柯魁英說：「我和我的團隊竭盡全力確保我們的行為符合競選財務委員會的法規，我在這方面與公共關係保持高度的共識。」

# 紐約擬東河上建泳池 設計師籌款測試過濾系統

本報訊

由包括華人在內的多名設計師設計的新型泳池，將建在紐約東河上，並用來東河水。有關方面現正為這個新泳池的初步設計籌款25萬元。

【每日新聞】報導，這個名為「泳池」(Pool)的新型泳池，由於其形狀類似賽馬場周圍的「U」字而命名。這是一個可移動的浮動泳池，將安裝在東河上。這個泳池的設計師們，現在籌集款項25萬元，在布羅克倫公園附近水面，建一個浮動的實驗室，測試泳池的過濾系統。



圖為在東河上並使用過濾河水作池水的泳池設計圖。 網絡圖片

# 紐約市政府 管理與財政預算辦公室 (OMB) 紐約市房屋署 (NYCHA) 海岸洪澇區百年計劃建議行動最後通知與解釋

致：所有感興趣的部門、組織與個人  
本廣告發布通知，紐約市政府已進行一項建議「紐約市房屋署公共房屋復原與家園計劃」(NYCHA Public Housing Restoration and Home Program) 及「紐約市房屋署公共房屋復原與家園計劃」(NYCHA Public Housing Restoration and Home Program) 的建議行動。此項建議行動旨在保護紐約市房屋署公共房屋免受海平面上升及海平面上升的影響。此項建議行動將包括：在500年海岸洪澇區內，對公共房屋進行加固、維修及更換受損設施。此項建議行動將包括：在500年海岸洪澇區內，對公共房屋進行加固、維修及更換受損設施。此項建議行動將包括：在500年海岸洪澇區內，對公共房屋進行加固、維修及更換受損設施。

# 遭乘客用利器刺眼 電召車司機死亡

本報訊

紐約市警方透露，周四傍晚交通高峰時期，一名乘客在布羅克倫區將利器刺入一名電召車司機的眼部，導致電召車撞擊了幾輛停在路邊的汽車，該司機已死亡。

警方發言人說，案件發生在下午5點半左右，地點在布羅克倫區Brownsville Lot 4大道與Thomas Boydland街，有人看到撞車後一男一女逃離了現場。趕到案發現場的警員在一輛2000年的Mercury內發現了司機，這輛電召車來自新澤西州。這名司機在送往醫院後死亡。目前還不知道司機的名字，他的身分證明文件不知所終。

來自現場的一張照片顯示是該車衝入人行道上，最終停在上面。警方說，目前還不知道是甚麼原因導致乘客用利器刺司機的眼部，到周四晚上警方並沒有逮捕任何一人。

# 紐約市政府 管理與財政預算辦公室 (OMB) 海岸洪澇區百年計劃建議行動最後通知與解釋

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# 兒子房間發現手槍 布祿崙母親搶驚受怕

本報訊



布祿崙一名母親在其11歲兒子的房間內發現了一把手槍，之後這名母親將手槍交給了社區領導人，領導人又將手槍轉交給了警察。

目前，儘管這把手槍已經在布祿崙警方手中，但這位母親擔心這把手槍的主人會威脅到她的安全。這名母親說，她不知道這把手槍是誰的，也不知道這把手槍是誰的。這名母親說，她不知道這把手槍是誰的，也不知道這把手槍是誰的。這名母親說，她不知道這把手槍是誰的，也不知道這把手槍是誰的。

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Американские СМИ еще никогда не были в лучшей форме. Об этом нам говорит здравый смысл. Мы можете легко найти любую информацию о любом предмете. Тем не менее, это изобилие возможностей не нашло никакого отражения в глубоко пессимистичном новом выпуске ежегодного доклада State of the Media Report, опубликованного Исследовательским центром Пью. В этом обзоре нет ни одного упоминания о скорости, разнообразии и глубине информации в сети. Кроме того,

там ничего не сказано о доступе аудитории к информации как важном индикаторе здоровья журналистики. Вместо этого авторы обзора жалуются на «продолжающуюся эрозию новостных ресурсов в сочетании с растущими возможностями влиятельных политиков, правительственных агентств, компаний и других напрямую общаться с публикой». Увольнения сотрудников отделов новостей во многих газетах «сократило эту индустрию на 30% с момента пика ее развития в 2000 году, и впервые с 1978 года число профессиональных штатных журналистов упало ниже 40000 человек».

Это довольно ограниченный взгляд, в рамках которого интересы потребителей подменяются

интересами производителей, результаты – затратами, и упускается из виду самый главный двигатель человеческого благосостояния – продуктивность. Подобно тому, как сравнительно небольшое число фермеров обеспечивает всех нас изобилием сельскохозяйственных товаров, которое было недоступным для наших предков, современные читатели имеют доступ к гораздо большему объему высококачественной информации, чем могут прочитать.

Спросите себя: у нас с вами есть доступ к большему или меньшему объему качественных материалов для чтения, чем 13 лет назад? Разумеется, к большему. Действительно, эксперты центра справедливо отмечают, что зарабатывать много денег на продаже рекламы в сети трудно. Это трудно сделать, главным образом потому, что интернет – это золотое дно для читателей: там присутствует серьезная конкуренция и есть масса информации для чте-

ния. Традиционная газета прошлого, как правило, была вынуждена конкурировать с единственным соперником, действующим на другом конце города. Time конкурировала с Newsweek. Сейчас издание Time не конкурирует с Newsweek: ему приходится конкурировать со всеми англоязычными сайтами планеты. Это сложно, однако это ведет к невероятному росту продуктивности, который трансформирует индустрию новостей.

Новейшие достижения в области распространения новостей не могут не порадовать. Вам больше не нужно ходить в специальный магазин, чтобы купить там газету, издаваемую в другом городе, или иностранные журналы. Просто откройте окно браузера.

И, разумеется, цифровые технологии существенно упростили процесс производства новостей. Графики и таблицы можно построить и опубликовать за считанные минуты. Вы всегда легко и быстро можете найти данные государственного сектора, научные труды и доклады исследовательских центров, вместо того чтобы собирать пыль на библиотечных полках. Более того, на вебсайтах всегда достаточно места для информации в любом объеме.

Мэтью Иглесиас, Slate

**Нью-Йорк-Сити**  
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Всем заинтересованным агентствам, группам и частным лицам  
 Эта публикация извещает, что Нью-Йорк-Сити готов оценивать предложенную программу NYCHA Public Housing Rehabilitation and Resilience (NYCHA Public Housing), также известную как NYC Build a Block, как обновленную Executive Orders 11988 and 11990, в соответствии с требованиями HUD 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, соответственно. Эти оценки сделаны, чтобы определить потенциальное воздействие предлагаемых мер в пойменной зоне и водо-болотных угодьях, расположенных рядом с жилыми домами NYCHA, на получение финансирования Community Development Block Grant (CDBG) – (Statewide Recovery Plan) от HUD в размере \$108,000,000 на реализацию программы NYCHA Public Housing. Это финансирование будет использоваться HUD для помощи в решении оставшихся жилищных проблем, ставшая следствием урагана "Сэнди", который обрушился на город в октябре 2012 года. The CDBG Funding (28 января 2013 г.) и The City's Partial Action Plan A for CDBG-DR (июль 2013 г.) устанавливает требования к получателям, приоритеты и методы распределения реабилитационных ресурсов многоквартирных домов, которые должны быть реализованы в соответствии с NYC Housing.

NYC рассматривает следующие варианты и меры компенсации, призванные минимизировать негативные последствия, восстановить и сохранить природное и благотворное влияние пойменной зоны.

Действия за пределами пойменной зоны: NYCHA рассматривает ограниченные действия в качестве альтернативы, которая предусматривает финансирование CDBG работы только за государственном жилищном фонде, пострадавшем от урагана "Сэнди" и расположенном за пределами 100-летней пойменной зоны и водо-болотных угодий. Согласно плану восстановления, жилье NYCHA, расположенное в 500-летней пойменной зоне, подождал восстановления и модернизации системы для экстренных случаев будут усилены только в домах, расположенных за пределами 100-летней пойменной зоны и водо-болотных угодий, которые конструктивно не пострадали и где жильцы из малообеспеченных семей не столкнулись с чрезвычайным природным обслуживанием в течение урагана "Сэнди" или после него. Если эти меры будут использованы в отношении жилья NYCHA, расположенного в границе пересеченной FEMA 500-летней пойменной зоны, то приведет к усилению мер по укреплению зданий, потенциально подверженных сильному затоплению. Оставшиеся фонды могут быть использованы на дополнительные меры по совершенствованию систем, обслуживающих эти дома, улучшение общественных центров, расположенных в 500-летней пойменной зоне и в периметре Центра экстренных операций (EOC). Однако при реализации этой альтернативы сокращены уровни того, что жильцы малообеспеченных семей лишены без обслуживания, если наводнение вновь переживет землетрясение системы, расположенные в 100-летней пойменной зоне, где они проживают. Город, таким образом, считает неприемлемым вероятный риск повреждения экстренных мероприятий, особенно учитывая большое количество наводнения, которое обслуживает NYCHA, и нынешнее понимание того, как климатические изменения могут привести в будущем к сильным штормам.

Предлагаемые действия в пойменной зоне: Город предлагает использовать фонды CDBG-DR для полного восстановления систем бытовых и сервисных функций в жилых домах NYCHA и реабилитации городских общественных центров в 100-летней пойменной зоне, в задачи использовать эти крайне важные инвестиции для того, чтобы лучше подготовить здания к будущим штормам. Фонды будут использованы на приобретение энергоэффективных сплит-систем, электросети и микроволновые системы или, по необходимости, систем отопления, чтобы снизить вероятность отказа в жизненно-важном обслуживании во время экстренных ситуаций. Эти меры помогут избежать проблем для тысяч семей, проживающих в домах NYCHA, в случае шторма в будущем. Должна быть также проведена модернизация другой систем бытовых. Эти системы будут усилены выше уровня затопления, в соответствии с требованиями FEMA для шторма NYCHA и MFR, что сделает их и сами жильцы более надежными, в также сможет сэкономить городские средства, предназначенные на жилищные нужды. Часть фондов будет направлена на создание нового EOC по стандартной Incident Command Structure.

Меры по предотвращению в борьбе с наводнениями для зданий NYCHA, расположенных в пойменной зоне, предусматривают установку новых инженерных систем. Город намерен использовать Preliminary Flood Impacts Rate Maps (P-FIRM) для NYC, когда они будут доступны, и потребовать, чтобы финансирование по линии CDBG проекты соответствовали стандартам P-FIRM с учетом дополнительного запаса высоты для защиты входящей в эти здания. Дополнительный запас составляет 1 или 2 фута, в зависимости от засиленности дома и зоны потенциального затопления. Дополнительные меры защиты водо-болотных угодий будут включены в строительные планы и будут содержать стандартные строительные Best Management Practices для минимизации воздействия на качество воды и экологический ущерб при строительных работах. В экстренном случае жильцы могут нанести экологический ущерб сборе воды с улиц, где будут осуществляться работы.

Окончательные действия: для альтернативы не соответствует цели города по восстановлению поврежденного ураганом "Сэнди" жилья, в также не способствует планированию и реализации мер, направленных на уменьшение ущерба от стихийных бедствий в будущем. Согласно этой альтернативе, капитальный ремонт или меры по модернизации, а также совершенствованию жилого фонда NYCHA, как было описано выше, должны финансироваться не через CDBG-DR, а с помощью альтернативных источников по мере их появления. Без проведения капитальной реконструкции жилых домов NYCHA остаются в различных стадии разрушения, представляя потенциальную опасность для здоровья и безопасности, в также создавая длительные проблемы для жильцов. Эти важные жилищные и общественные центры NYCHA останутся уязвимыми в будущем в случае шторма, продолжат разрушаться и станут менее функциональными в плане обслуживания малообеспеченной части населения города.

Это окончательное извещение об обоснованном обосновании предложения и поддержке деятельности в 100-летней пойменной зоне подготовлено по требованиям Section 216(4) of Executive Orders 11988 and 11990, соответственно для Floodplain Management and Protection of Wetlands и реализовано согласно HUD Regulations, 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. 8-Step Decision Making Process предусматривает общественные извещения и процедуру публичных слушаний относительно в пойменной зоне или зон водо-болотных угодий. NYCHA предлагает использовать фонды CDBG-DR для восстановления и модернизации жилых домов, расположенных в 100-летней пойменной зоне.

Дополнительная проектная информация, включая карты пострадавших участков, содержится в Environmental Review Record, в настоящее время подготовлены a Calvin Johnson, Assistant Director, 256 Greenwich Street, 8th Floor, New York, NY 10007, и может быть изучена с 10:00 am до 5:00 pm. Это извещение может быть найдено на сайте <http://www.nyc.gov/buildablock> в разделе Reports and Public Notices. Для обзора карт участков пойменной зоны посетите [www.nyc.gov/buildablock](http://www.nyc.gov/buildablock). Город заинтересован в альтернативах и мнениях общественности о возможных негативных воздействиях, которые могут оказать реализация проекта или другие меры.

Примечание: все заинтересованные частные лица, организации и агентства подавать письменные комментарии относительно предложенного использования федеральных фондов для реализации проекта в пойменной зоне. Комментарии следует отправлять по почте на вышеуказанный адрес или по электронной почте на [CDBG-DRinfo@nyc.gov](mailto:CDBG-DRinfo@nyc.gov). Минимальный 7-дневный рабочий период рассмотрения начинается через день после публикации и заканчивается в 5-й день после публикации. Все комментарии должны быть получены OMB 21 июня 2013 года или ранее.

Марк Лайбах, директор Офиса менеджмента и бюджета, Нью-Йорк-Сити  
 Дата: 14 июня, 2013 г. 1052-159-2

**Radchenko & Ratsenber, PLLC**  
 Attorneys at Law

- ОПЕКА НАД РЕБЕНКОМ И АЛИМЕНТЫ
- РАЗВОД
- ПАДЕНИЯ И ТРАВМЫ
- НЕСЧАСТНЫЕ СЛУЧАИ НА СТРОЙКЕ
- АВТОМОБИЛЬНЫЕ АВАРИИ
- ИММИГРАЦИЯ

**ПЕРВАЯ КОНСУЛЬТАЦИЯ БЕСПЛАТНО**  
 2387 Ocean Ave., suite 1G, Brooklyn, NY 11229  
 Tel (347) 462-1400 Fax (347) 462-4590  
 641 Lexington Ave., 15th Fl., New York, NY 10022  
 Tel (212) 271-4877 Fax (212) 271-4878

## 4.0 APPLICABLE MITIGATION MEASURES

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As presented in **Section 7.0** the Tier II ER employs a site-specific checklist to assess several NEPA compliance factors in accordance with 24 CFR Part 58.36 and HUD Environmental Standards. This level of assessment helps determine whether environmental mitigation measures should be required for the proposed housing activity to achieve NEPA compliance on a specific construction site.

Environmental conditions encountered during the site inspection of a construction site will typically determine whether mitigation measures will be required or not. Following a review of the inspection report and photographs, an EA will be completed to describe both the project and required mitigation measures. This assessment will be packaged with supporting documentation into a site-specific electronic file for OMB review. After OMB issues environmental clearance for the proposed construction project the file becomes available for the assigned construction contractor to review in support of site planning activities in both the NYCHA Public Housing system of record and in the ERR maintained by the OMB.

This Tier I ER for NYCHA Public Housing is anticipating that environmental mitigation measures may be required for the following compliance factors:

- Preservation of Historical and Cultural Resources
- Floodplain Management
- Protection of Water and Wetland Resources
- Toxic Chemicals and Radioactive Materials
- Fish and Wildlife Coordination
- Agriculture and Markets – Management of Invasive Species

While specific mitigation measures cannot be fully defined upon Tier I ER publication, they are summarized in **Section 4.0**. These will support Tier II standard environmental assessment procedures approved by OMB to help define the measures applicable to most sites. The builder will note what the specific mitigation measures are required for the assigned project by the Tier II checklist and incorporate these into their construction plans and document how compliance was achieved.

### 4.1 Preservation of Historical and Cultural Resources

NYCHA maintains public housing facilities that are or may be eligible for listing the National Register of Historic Places (NRHP). Desktop review, followed by site-specific assessment will aid determination. NYCHA's proposed rehabilitation and resilience projects will involve the installation of generators, the elevation of these and other critical building systems to the BFEs identified in the preliminary work maps +1 or that indicated by FEMA in its anticipated P-FIRM for the area, and the rehabilitation of community center buildings.

NYCHA proposes to support and preserve the character of historic neighborhoods and districts, as well the preservation of cultural resources by participating in a Programmatic Agreement (PA) among FEMA, the NY State Historic Preservation Office, the NY State OEM, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC Landmarks Preservation Commission (LPC), and the Advisory Council on Historic Preservation and NYC's OMB, as a result of Hurricane Sandy. This PA has been executed and the City of NY has been added to the PA using the addition of an Appendix E of the PA (Appendix B-1). It establishes the protocol for Section 106 consultation of proposed activities under the NYCHA recovery efforts.

In addition, the NY State Office of Parks, Recreation, and Historic Preservation (SHPO) provided comments in a letter dated March 8, 2013 that include a findings list indicating NYCHA properties that do not appear to meet the National Register Criteria and a list of properties that are Eligible or Listed on the NRHP (**Appendix B-4**).

Under the stipulations and conditions of the PA, initial site-specific review will assess the historical and cultural value and the properties targeted for NYCHA Public Housing rehabilitation and resilience projects, and determine whether these meet one or more of the Allowances in Appendix B of the PA; if so, then the City will complete the Section 106 review process by documenting this determination in the project file, without State Historical Preservation Office (SHPO) and Tribal review or notification. If, prior to the site-specific inspections and environmental assessments, the project(s) is not composed entirely of an allowance in **Appendix B**, or does not meet the allowance criteria, the Environmental Reviewer will complete the Section 106 review process in accordance with the Standard Project Review as identified in Stipulation II.C in the PA.

In cases where elevated equipment installations require ground-disturbing activities (i.e., installation of piles to support elevated equipment) on previously undisturbed soil, then the potential for discovery of human or archeological remains exists. This potential for an adverse effect would be noted in association with the Section 106 compliance factor in the site-specific environmental assessment along with an indication that mitigation may be required if discovery is made during construction. If such a discovery were to be made, all construction activities would stop and NYCHA would initiate consultation with SHPO, LPC, tribes and others as appropriate to resolve compliance with this factor. If the potential for an Adverse Effect is determined, the project can enter into the Abbreviated Consultation Process (the application of Treatment Measures outlined in **Appendix C** will suffice and a Memorandum of Agreement [MOA] is not necessary) or an MOA (if the Abbreviated Consultation Process is determined infeasible or is objected to by any of the consulting parties) will be developed in accordance with 36 CFR § 800.6(c) to stipulate treatment measures to avoid, minimize, and/or mitigate adverse effects on historic properties.

## 4.2 Floodplain Management

The City's 100-year floodplain is displayed in **Appendix A, Figure 2-1: Flood Hazard Zones of NYC**. To comply with EO 11988, actions in floodplain will consider design or modification of site-specific actions to minimize potential harm.

NYCHA Public Housing facilities partially or wholly situated in the 100-year floodplain will comply with the City's local floodplain ordinance and participate in the NFIP, new structures supporting power generators and systems will comply with minimum foundation elevation at the BFE+1 as defined in FEMA's June 10, 2013 Preliminary Work Maps, or the appropriate P-FIRM once published. While not required, NYCHA intends for its facilities situated in the 500-year floodplain to also participate in the NFIP as an additional mitigation measure.

## 4.3 Protection of U.S. Waters and Wetlands

To ensure the protection of water resource quality and that of associated wetlands across the City's hurricane-damaged neighborhoods, NYCHA Public Housing will select several mitigation measures for its proposed construction activities. To comply with EO 11990 for protection of wetlands and other regulations, construction activities will be planned to avoid impacts to surface waters and wetlands and help preserve these habitat types for wildlife (**Appendix A, Figures 3-1 and 4-1: Surface Water Resources in NYC, and Wetlands in NYC**, respectively).

Site-specific inspection will permit environmental assessment verification of nearby surface water or wetland resources potentially affected by a proposed project. NYCHA Public Housing will require standard construction BMPs to protect water quality, and avoid wetland and other waters disturbance in accordance with applicable state, federal, and local regulations (i.e., storm water management, appropriate soil erosion controls, the establishment of work/work exclusion zones, and potential schedule restrictions on construction activities). NYCHA also anticipates that a SPDES permit may be required for project sites with greater than one acre of earth disturbance.

## 4.4 Coastal Zone Management

Portions of the action area in NYC fall within Coastal Zone Management (CZM) areas as displayed in **Appendix A, Figure 5-1**. To ensure consistency with the NYC Waterfront Revitalization Program (WRP), consultation with both the NYC Department of City Planning and the State of New York Department of State has been completed. NYCDCP has determined that as long as the projects are consistent with the descriptions in the Tier I ER, the projects are consistent with the policies and intents of the WRP. Construction activities will be planned to adhere to this consistency.

Similarly, the State of New York DOS has determined the proposed activities are consistent with DOS general concurrence criteria. Any project under this program that requires a federal permit

or other federal authorization will be submitted to the DOS for a separate review to insure continued consistency with the WRP.

Additional mitigation measures for NYCHA sites located adjacent in the coastal zone will include the implementation of BMPs for storm water management and soil erosion control, for which an SPDES permit may be required on sites with greater than one acre of earth disturbance.

#### **4.5 Toxic Chemicals and Radioactive Materials**

Landfills, Superfund Sites, and other properties with the potential to have toxic chemicals or radioactive materials on-site have been identified within area impacted by Hurricane Sandy as displayed in **Appendix A, Figure 12-1: Toxic and Radioactive Materials in NYC**. Nonetheless, site-specific inspection will permit identification of the presence of toxic or radioactive substances on, adjacent to, or near target properties that will be subject to site-specific environmental assessment. In the case of where hazards of concern are identified by a Qualified Environmental Profession (QEP), specific site assessment information (ASTM Phase 1 ESA, Phase 2 ESA, or vapor intrusion investigative study) will be required under HUD's 24 CFR 58.5(i)(2) site contamination regulation and Phase I Threshold policy to achieve environmental compliance with this factor.

NYCHA does anticipate that some of its hurricane-damaged residential housing facilities may have exposed lead-based paint and asbestos-containing materials in the areas targeted for work. Prior to completing the site-specific environmental assessment of these properties, the structures will be tested for these substances, and a cost to remediate will be considered in determining the project description and cost. If required, remediation of the hazard would be appropriately scheduled and coordinated with construction activities.

#### **4.6 Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act applies to the impounding, diverting, deepening, or otherwise modifying the waters of any stream or other body of water. Site-specific environmental assessment may require a site visit by a qualified wetlands professional to determine whether the proposed activity would impact streams or other waters. If the potential for impact exists, the environmental assessment would require an individual public notice for action in a water body and coordination with the USFWS, the National Marine Fisheries Service (NMFS) as appropriate, and the NYSDEC. Agency coordination will support determination that the proposed activity with applicable mitigation measures and standard construction BMPs would have only temporary affects on a protected resource, and verify those federal and state permits requirements to achieve project compliance.

Upon agency determination that a proposed activity would permanently affect these protected habitat resources, compliance could not be achieved. NYCHA Public Housing will consider

alternative approaches to serving the unmet housing needs of eligible applicants, but reserve the right to determine final feasibility.

#### **4.7 Agriculture and Markets – Management of Invasive Species**

The Asian Longhorned Beetle (ALB) (*Anoplophora glabripennis*) is an invasive beetle believed to have arrived in New York from its native China via untreated packing crates and wooden pallets. Infestations have been discovered in Brooklyn, Queens, Manhattan, and Staten Island. On May 14, 2013, the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) announced that the boroughs of Manhattan and Staten Island were free from ALB. This announcement reduced the quarantined areas of New York from 135 to 109 square miles. To prevent further spread of the insect, quarantine zones have been established to avoid transporting wood from the infested areas. NYCHA projects involving yard waste, storm clean-up and normal tree maintenance activities involving twigs and/or branches of ½" or more in diameter of ALB host species will require proper handling and disposal and the completion of associated state or federal phytosanitary certificates in accordance with New York Codes, Rules and Regulations (NYCRR).

## 5.0 COMPLIANCE DOCUMENTATION CHECKLIST



NYC Office of Management and Budget  
255 Greenwich Street, New York, NY 10007

### Compliance Checklist for 24 CFR §58.6, Other Requirements

**Complete for all projects, including Exempt (§58.34), Categorically Excluded Subject to §58.5 [§58.35(a)], Categorically Excluded Not Subject to §58.5[§58.35(b)], and Projects Requiring Environmental Assessments (§58.36)**

Project Name: NYCHA Public Housing Rehabilitation and Resilience

ERR FILE #

*§58.6(a) and (b) Flood Disaster Protection Act of 1973, as amended; National Flood Insurance Reform Act of 1994*

**Does the project involve new construction, major rehabilitation, minor rehabilitation, improvements, acquisition, management, new loans, loan refinancing or mortgage insurance?**

Yes  No

**If No**, compliance with this section is complete.

**If Yes**, continue.

**Is the project located in a FEMA identified Special Flood Hazard Area?**

Yes  No

**If No**, compliance with this section is complete.

**If Yes**, continue.

**Is the community participating in the NFIP (or has less than one year passed since FEMA notification of Special Flood Hazards)?**

Yes  No

**If Yes**, Flood Insurance under the NFIP must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

**If No**, Federal assistance may not be used in the Special Flood Hazards Area.

**Source Document:** see **Exhibits 6 and 7** displaying the floodplains and wetlands of NYC. The City is conducting a tiered environmental review of NYCHA Public Housing. In the event a NYCHA residential facility is targeted for assistance and some portion of the property lies in the 100-year floodplain, flood protection will be required and determined on a site-specific basis in accordance with the 8-step Decision Making Process.

§58.6(c) Coastal Barrier Improvement Act, as amended by the Coastal Barriers Improvement Act of 1990 (16 U.S.C. 3501)

**Does the project involve new construction, conversion of land uses, major rehabilitation of existing structure, or acquisition of undeveloped land?**

Yes  No

If No, compliance with this section is complete.

If Yes, continue below.

**Is the project located in a coastal barrier resource area?**

Yes  No

If No, compliance with this section is complete.

If Yes, Federal assistance may not be used in such an area.

**Source Document:** See Exhibit 8 and Appendix A, Figure 5-2 displaying the Coastal Barrier Resources of New York City. NYCHA Public Housing does not maintain residential facilities located within the State's Coastal Barrier Resources.

§58.6(d) Runway Clear Zones and Clear Zones [24 CFR §51.303(a) (3)]

**Does the project involve the sale or purchase of existing property?**

Yes  No

If No, compliance with this section is complete.

If yes, continue below.

**Is the project located within 2,500 feet of the end of a civil airport runway (Civil Airport's Runway Clear Zone) or within 15,000 feet of the end of a military runway (Military Airfield's Clear Zone)?**

Yes  No

If No, compliance with this section is complete.

If Yes, Notice must be provided to buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in this ERR.

**Source Document:** See Exhibit 9 displaying airports in or near NYC. There are no active military airfields in NYC, and NYCHA Public Housing does not maintain residential facilities within the runway clear zones associated with regional civil airports.

AUTHORIZED RESPONSIBLE ENTITY OFFICIAL:



Authorized Responsible Entity Signature

 Calvin Johnson

Authorized Responsible Entity Name (printed)

7/15/13

Date

 Assistant Director, COB&OR  
Director of NYC OMB

Title (printed)

## Appendix I

### Flood Insurance Protection Requirements

Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that “The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property.” (42 U.S.C. 5154a)

Such anticipated economic or useful life of the property may vary with the nature of the assisted activity. For example, construction of a new or substantially improved building requires flood insurance coverage for the life of the building, while for minor rehabilitation such as repairing, weatherizing, or roofing of a building, the grantee may require flood insurance coverage ranging from five to fifteen years as deemed feasible. HUD will accept any period within that range that appears reasonable.

Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF-Single Family, OR-Other Residential, NR-Non Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings. If the Federal assistance includes any portion of the cost of any machinery, equipment, fixtures or furnishings, the total cost of such items must also be covered by flood insurance.

Proof of Purchase. The standard documentation for compliance with Section 102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted SFHA building lacking a current Policy Declarations form is in Noncompliance.

Grantee’s Evidence of Compliance under the Certification. The grantee must maintain a complete and up-to-date listing of its on-file and current Policy Declarations for all financially assisted SFHA buildings. As a part of the listing, the grantee should identify any such assisted building for which a current Policy Declarations form is lacking and attach a copy of the written request made by the grantee to the owner to obtain a current Policy Declarations form.

## Appendix II

### Notice to Prospective Buyers of Properties Located in Runway Clear Zones and Clear Zones

In accordance with 24 CFR §51.303(a)(3), this Notice must be given to anyone interested in using HUD assistance, subsidy or insurance to buy an existing property which is located in either a Runway Clear Zone at a civil airport or a Clear Zone at a military installation. The original signed copy of the Notice to Prospective Buyers must be maintained as part of the project file on this action. [Instruction: fill out the area shown in parentheses below.]

The property that you are interested in purchasing at (Insert: street address, city, state, zip code) is located in the Runway Clear Zone/Clear Zone for (Insert: the name of the airport/airfield, city, state).

Studies have shown that if an aircraft accident were to occur, it is more likely to occur within the Runway Clear Zone/Clear Zone than in other areas around the airport /airfield. Please note that we are not discussing the chances that an accident will occur, only where one is most likely to occur.

You should also be aware that the airport/airfield operator may wish to purchase the property at some point in the future as part of a clear zone acquisition program. Such programs have been underway for many years at airports and airfield across the country. We cannot predict if or when this might happen since it is a function of many factors, particularly the availability of funds but it is a possibility.

We want to bring this information to your attention. Your signature on the space below indicates that you are now aware that the property you are interested in purchasing is located in a Runway Clear Zone/Clear Zone.

\_\_\_\_\_  
Signature of prospective buyer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or printed name of prospective buyer

## Appendix III

### Statutory Checklist

**A. Are all the project's activities exempt under 58.34(a)(1)-(11) and/or Categorically Excluded (CE) from NEPA procedures under 58.35(b)?  Yes  No.**

If 'Exempt' or CE under 24 CFR 58.35(b) use appropriate certification form to certify environmental determination and complete Compliance Documentation Checklist (58.6). Attach supporting documentation and complete Compliance Documentation Checklist (58.6). Sign and date certification and keep in the project ERR. Remaining portions of the Checklist need not be completed. Do not initiate RROF procedures. Funds may be obligated for this project.

If "No" proceed to question B.

**B. Perform all relevant compliance requirement reviews of the Statutory Checklist and complete all columns as appropriate, sign and date form.**

**1. Is this a 58.35(a) CE Project?  Yes  No.**

If "Yes", use appropriate certification form and Statutory Checklist for Categorical Excluded Projects Only. Attach supporting documentation and complete Compliance Documentation Checklist (58.6). Sign and date certification and keep in the project ERR.

If "No" then go to question C.

**2. Does the project trigger a 58.5 Compliance Threshold?  Yes  No.**

If "Yes" then initiate RROF procedures, beginning with dissemination, publication and/or posting of RROF Notice. If "No"; project may be converted to exempt under 58.34(a)(12). Document this determination on the Statutory Checklist for Categorical Excluded Projects Only. Do not initiate Public Notice/RROF procedures. After completing the Compliance Documentation Checklist and signing and dating the certifications, funds may be obligated. Keep certifications, checklists and support documentation in the project ERR.

**C. If No to B (1), then this project requires an Environmental Assessment (EA)**

Fill out the Environmental Assessment Checklist and document all determinations as appropriate, and sign and date. Even if an EA has already been completed, 24 CFR Part 58, Subpart H procedures, beginning with publication/posting of FONSI/RROF Notice, cannot be initiated until all 58.5 and 58.6 determinations and compliance processes have been completed. Some CE projects may require an EA or an EIS because of their environmental effect.

## Statutory Compliance Thresholds

Provide explanatory statement and date in Compliance Documentation and attach supporting documentation.

### **Historic Properties (including archeology):**

**A)** The RE and SHPO agree that there are No Historic Properties Affected per 36 CFR 800.4, no adverse effects on historic properties per §800.5(b), or SHPO has not objected within 15<sup>8</sup> days to such fully documented determinations.

**B)** The proposal has an adverse effect on historic properties. Consult with SHPO et al., per §800.5 et seq., to resolve or mitigate adverse effects. Provide statement and date in Compliance Documentation and attach supporting documentation

\* The National Historic Preservation Act of 1966 (16 U.S.C. 470f *et seq.*): as amended: particularly section 106 (16 U.S.C. 470f): except as provided in ' 58.17 of this part for section 17 projects.

\* Executive Order 11593. Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 *et seq.*): particularly section 2(c).

\* The Reservoir Salvage Act of 1960 (16 U.S.C. 469 *et seq.*) particularly section 3(16 U.S.C. 469a-1): as amended

\* The Archeological Historic Preservation Act of 1974.

### **Floodplain Management:**

**A)** The project does not involve acquisition, management, or construction within (or will impact) a 100 year floodplain (Zones AE or VE) identified by FEMA maps, or does not involve a “critical action” (see 24 CFR 55.2(a)(2)) within a 500-year floodplain (Zone B or Zone X shaded). If FEMA has not published the appropriate flood map, the RE must make a finding based on Best Available Data.

**B)** Comply with Executive Order and Regulation and not support development or occupation of flood hazard area. Or complete the 8-step decision making process according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain.

\* Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 *et seq.*) as amended: particularly sections 102(a) (42 U.S.C. 4012a (a) and 4106 (a).

\* Executive Order 11988. Floodplain Management, May 24, 1977 (42 FR28931 *et seq.*): particularly section 2(a).

### **Wetlands Protection:**

**A)** The project does not involve construction within or adjacent (or will affect) to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the U.S. Fish & Wildlife Service or New York State DEC.

**B)** Comply with Executive Order and not support development or occupation of wetland. Or Complete the 8-step decision making process in 24 CFR 55.20 to document there are no practicable alternatives and to mitigate effects of the project on wetlands. Such action also may require obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act or providing alternate wetland as required by the U.S. Fish and Wildlife Service (USFWS).

\* Executive Order 11990. Protection of Wetlands. May 24, 1977 (42 FR 28951 *et seq.*): particularly section 2 and 5.

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<sup>8</sup> In accordance with Stipulation I.E.2 of the Programmatic Agreement Among FEMA, NY SHPO, NY OEM, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC LPC, and the Advisory Council on Historic Preservation as a Result of Hurricane Sandy, signed by NY SHPO on May 3, 2013.

### **Coastal Zone Management:**

**A)** The project does not involve the placement, erection or removal of materials, nor an increase in the intensity of use in the Coastal Zone (CZ) per certified local coastal plan.

**B)** Secure concurrence from the CZ Commission or delegated local planning commission with your determination of consistency with the applicable CZ Plan, or obtain coastal zone permit.

\* The Coastal zone Management Act of 1972 (16 U.S.C. 1451 *et seq.*) as amended: particularly section 307 (c) and (d) (16 U.S.C. 1456 (c) and (d)).

\* The Coastal Barrier Resources Act of 1982 (16 U.S.C. 3501 *et seq.* particularly sections 5 and 6 (16 U.S.C. 3504 and 3505).

### **Sole Source Aquifers (Safe Drinking Water Act):**

**A)** The project is not located within a U.S. Environmental Protection Agency (EPA)-designated sole source aquifer watershed area per EPA Ground Water Office, **B)** Consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures.

\* The Safe Drinking Water Act of 1974 (42 U.S.C. 201.300 (f) *et seq.* and 21 U.S.C. 349) as amended: particularly section 1424(e) (42 U.S.C.300b-303(e)).

### **Farmland Protection:**

**A)** The project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) (formerly the Soil Conservation Service, **OR** the project site includes prime or unique farmland, but is located in an area committed (zoned) to urban uses;

**B)** Request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands).

\* Farmland Protection Policy Act of 1961 (7 U.S.C. 4201 *et seq.*) particularly section 1540(b) and 1541 (7U.S.C. 4201 and 4242).

### **Threatened and Endangered Species:**

**A)** The RE determines that the proposal will have “no effect” **or** “is not likely to adversely affect” any federally protected (listed or proposed) Threatened or Endangered Species (i.e., plants or animals, fish, or invertebrates), nor adversely modify critical habitats. This finding is to be based on special study completed by a professional biologist or botanist and approved by the U.S. Fish and Wildlife Service (USFWS) and/or with State Department of Fish and Game. A determination of “no effect” does not require USFWS concurrence.

**B)** Consult with the U.S. FWS or with the National Marine Fisheries Service, in accordance with procedural regulations contained in 50 CFR Part 402. Formal consultation with FWS or NMFS is always required for federally funded “major construction” activities and anytime a “likely to adversely affect” determination is made.

\* The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.* as amended: particularly Section 7 (b) and (c) (16 U.S.C. 1278 (b) and (c)).

### **Wild and Scenic Rivers:**

**A)** The project is not located within one mile of a listed Wild and Scenic River, **OR** the project will have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system. **B)** Consult with the U.S. Department of Interior, National Park Service for impact resolution and mitigation.

\* The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*) as amended: particularly section 7 (b) and (c) (16 U.S.C. 1278 (c) and (d)).

### **Air Quality:**

A) The project is located within an “attainment” area, **OR**, if within a “non-attainment” area, conforms with the EPA-approved State Implementation Plan (SIP), per contact with the State Air Quality Management District or Board, **AND** the project requires no individual NESHAP permit or notification;

B) Negotiate suitable mitigation measures with the Air Quality Management District or Board, obtain necessary permits, and issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq. ft., or 35 cubic ft., of asbestos containing material is to be disturbed).

\* The Clean Air Act (42 U.S.C. 7401 *et seq.*) as amended: particularly section 176 (c) and (d) (42 U.S.C. 7308 (c) and (d))

### **Noise Abatement and Control:**

A) The project does not involve development of noise sensitive uses, **OR** the project is not within 1,000 feet of a major or arterial roadway, 3,000 feet of a railroad, or 15 miles from a major (listed) airport **OR** ambient noise level is documented to be 65 LDN (CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) for calculating noise levels and Airport Noise Contour map;

B) Apply the noise standard, per 24 CFR §51.101, to the decision whether to approve the proposal (see §51.104), and implement noise attenuation measures (NAG page 39-40) as applicable.

\* Environmental Criteria and Standards (24 CFR Part 51) and Site Contamination.

### **Explosive or Flammable Operations:**

A) The project is located at an acceptable separation distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to “Siting of HUD-Assisted Projects Near Hazardous Facilities” (Appendices F & G, pp. 51-52), **OR** the project will not increase danger to residents, expose neither people nor buildings to such hazards;

B) Mitigate the blast overpressure or thermal radiation hazard with the construction of a barrier of adequate size and strength to protect the project (per 24 CFR 51.205).

\* Environmental Criteria and Standards (24 CFR Part 51) and Site Contamination.

### **Toxic Chemicals and Radioactive Materials:**

A) The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property. Particular attention should be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes. If the property: (i) is listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list; (ii) is located within 3,000 feet of a toxic or solid waste landfill site; (iii) has an underground storage tank other than a residential fuel tank, or (iv) is known or suspected to be contaminated by toxic chemicals or radioactive materials, then, the grantee must provide an ASTM Phase I report, Phase 2 if required and Remediation Plan as appropriate. Proposed site must be free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances.

B) Mitigate the adverse environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency; **OR** reject the proposal.

\* 24 CFR 58.5(i), Environmental Criteria and Standards (24 CFR Part 51) and Site Contamination.

### **Airport Clear Zones and Accident Potential Zones:**

A) The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ) -or Runway Protection Zone, or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ) - Approach Protection Zone, based upon information from the airport or military airfield administrator identifying the boundaries of such zones, **OR** the project involves only minor rehabilitation, **OR** the project involves only the sale or purchase of an existing property in the RCZ or CZ;

**B)** It is **HUD** policy not to provide any development assistance, subsidy or insurance in RCZs or CZs unless the project will not be frequently used or occupied by people and the airport operator provides written assurances that there are no plans to purchase the project site.

\* Environmental Criteria and Standards (24 CFR Part 51) and Site Contamination.

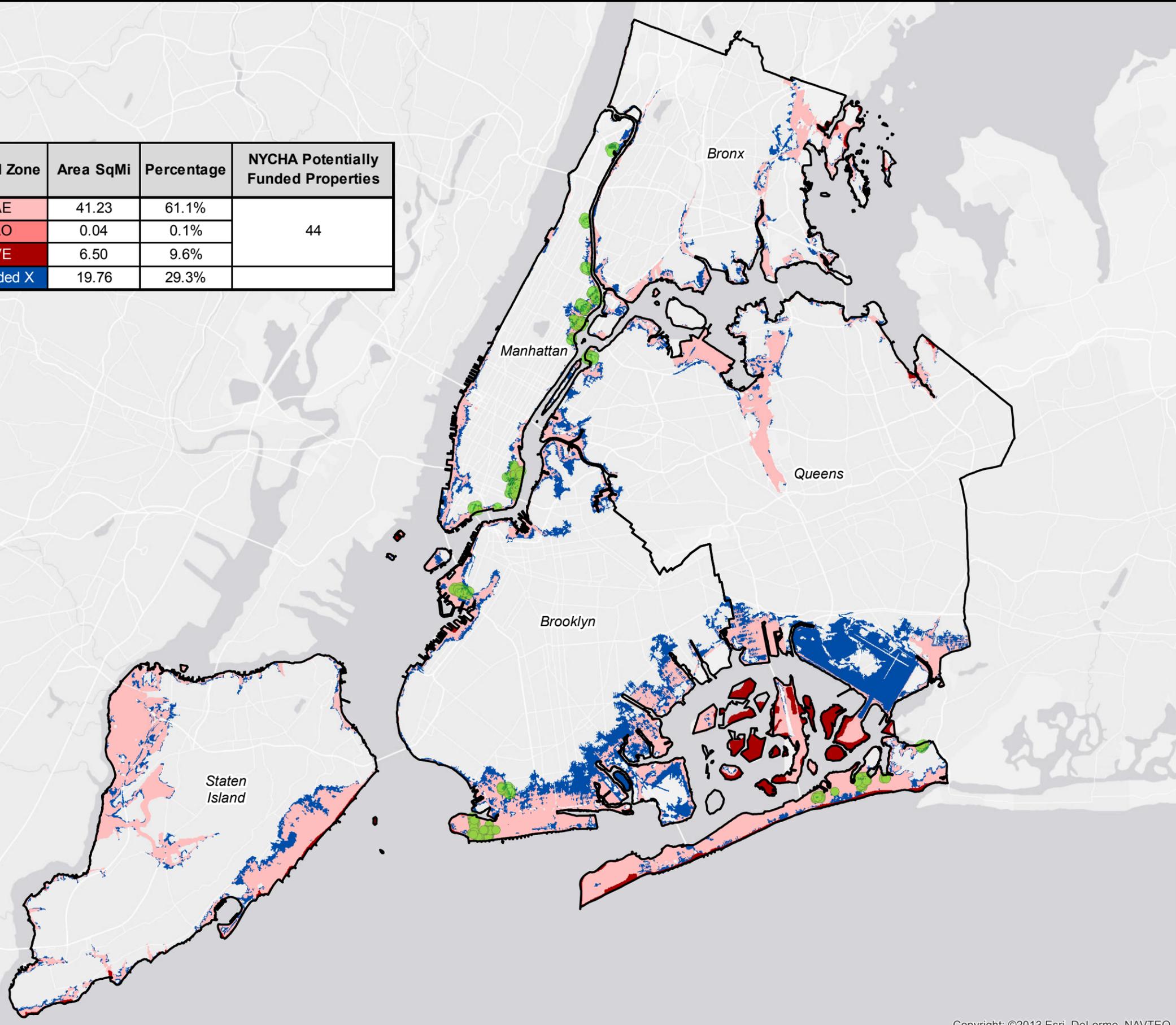
**Environmental Justice:**

**A)** The proposed site is suitable for its proposed use and will NOT adversely impact any disadvantaged population.

**B)** Site suitability is a concern; the proposal is adversely affected by environmental conditions impacting low income or minority populations. Avoid such impacts or mitigate them to the extent practicable. Address and mitigate the disproportional human health or environmental effects adversely affecting the low income or minority populations **OR** reject the proposal.

\* Executive Order 12898 Federal Actions to address environmental justice in minority populations and low-income populations.

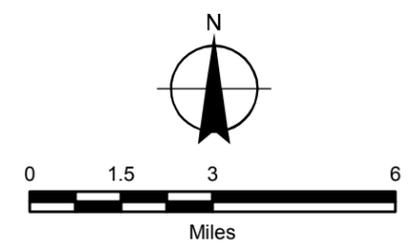
Flood Zone	Area SqMi	Percentage	NYCHA Potentially Funded Properties
AE	41.23	61.1%	44
AO	0.04	0.1%	
VE	6.50	9.6%	
Shaded X	19.76	29.3%	



**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- FEMA Preliminary Work Map Flood Zones**
- 100 Year Floodplain - Zone AE
- 100 Year Floodplain - Zone AO
- 100 Year Floodplain - Zone VE
- 500 Year Floodplain - Shaded Zone X  
Federal Emergency Management Agency (June 2013)
- NYCHA Public Housing Facilities**
- Funded Properties  
in the 100 Year Floodplain  
NYCHA (July 2011)

**Note:**  
Zone designations include: Zone AE: an area inundated by 1% annual chance flooding, and BFEs have been determined. Zone AO: an area inundated by 1% annual chance flooding, (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from 1 to 3 feet. Zone VE: an area inundated by 1% annual chance flooding with velocity hazard (wave action); BFEs have been determined. Shaded Zone X: an area inundated by 0.2% annual chance flooding.



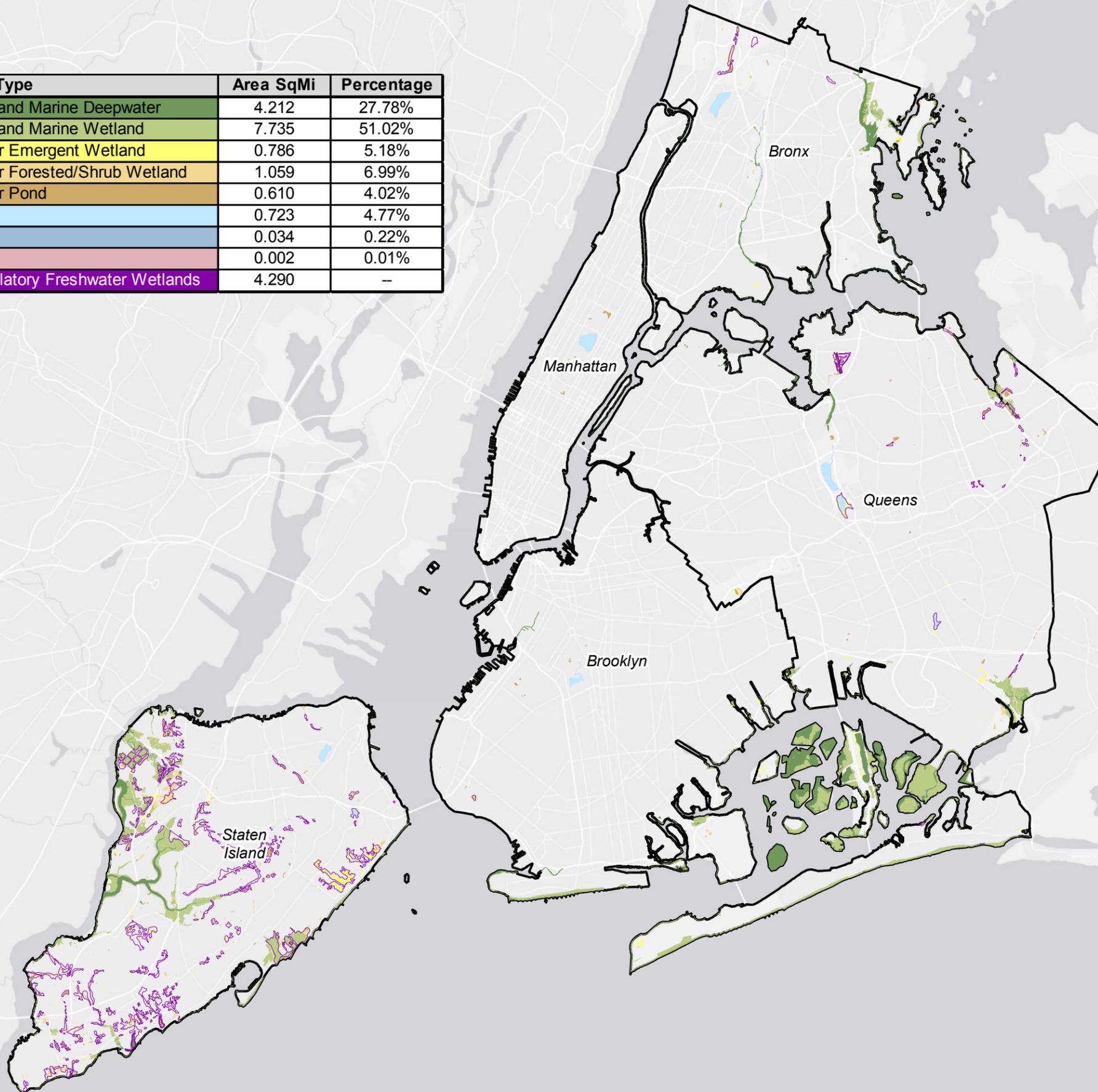
**Reference:**  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

EXHIBIT  
**6** FLOOD HAZARD AREAS  
OF NEW YORK CITY

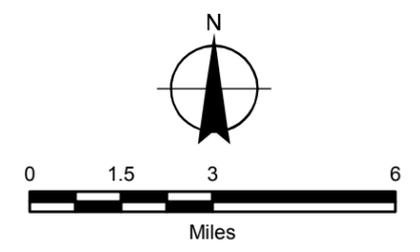


Wetland Type	Area SqMi	Percentage
Estuarine and Marine Deepwater	4.212	27.78%
Estuarine and Marine Wetland	7.735	51.02%
Freshwater Emergent Wetland	0.786	5.18%
Freshwater Forested/Shrub Wetland	1.059	6.99%
Freshwater Pond	0.610	4.02%
Lake	0.723	4.77%
Riverine	0.034	0.22%
Other	0.002	0.01%
NYS Regulatory Freshwater Wetlands	4.290	--



**Legend**

- New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- NYS Regulatory Freshwater Wetlands  
*NYS Dept. of Env. Conservation (1999)*
- National Wetland Inventory - Type**
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Riverine
  - Other  
*US Fish and Wildlife Service (Jan 2013)*



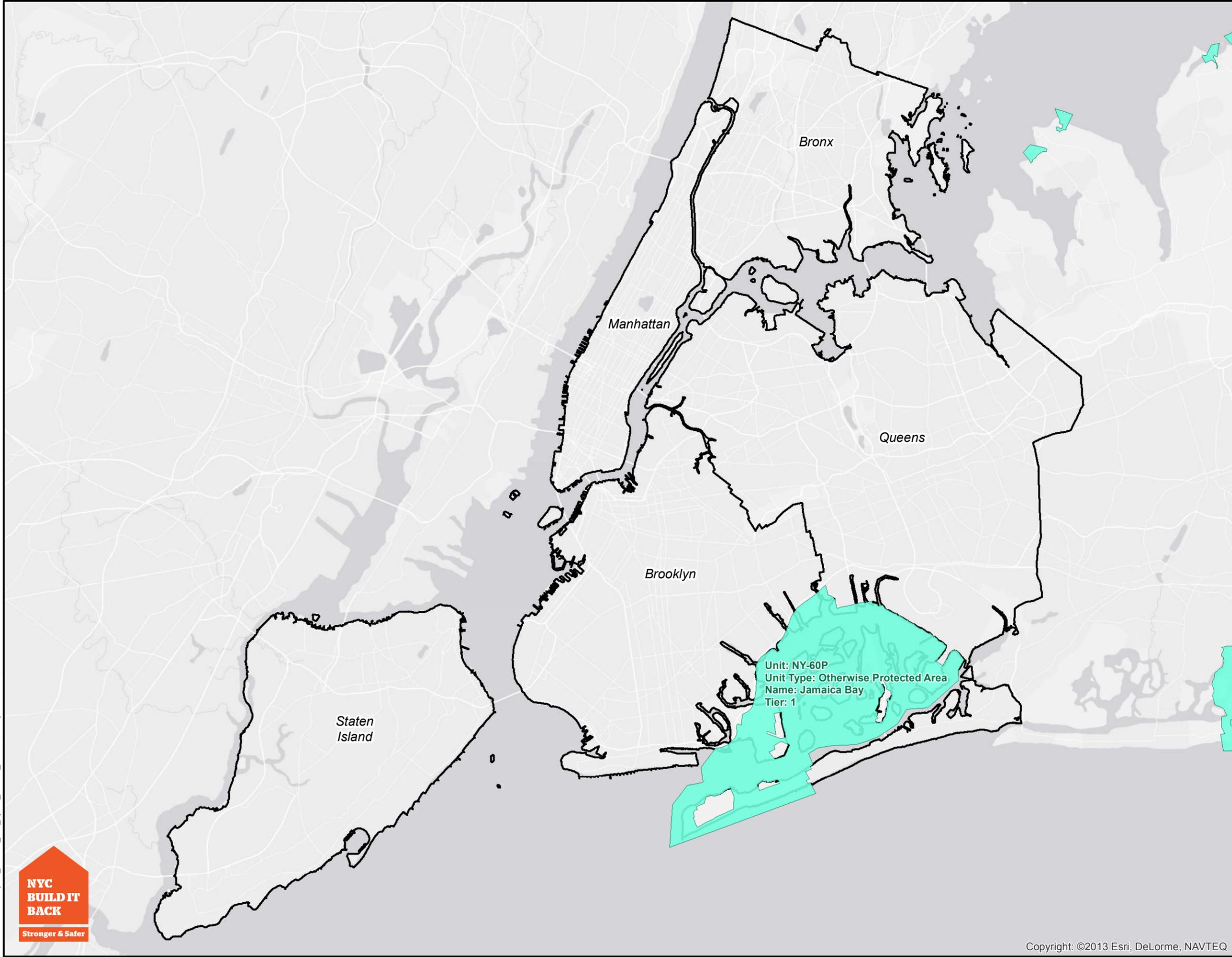
*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

EXHIBIT  
**7**

**WETLANDS  
IN NEW YORK CITY**

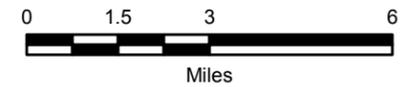




**Legend**

-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
-  Coastal Barrier Resource System (30.04 SqMi)  
US Fish and Wildlife Service (Nov 2012)

Note:  
Coastal Barrier Resources System (CBRS) polygons in this data set are only representations of the official CBRS boundaries and are not to be considered authoritative. In general, these digital boundaries can be considered accurate to within approximately 150 feet of the actual CBRS boundaries as shown on the official maps. Additionally, because CBRS units extend seaward out to either the 20- or 30-foot bathymetric contour (depending on the location of the unit), the true seaward extent of the units is not shown.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

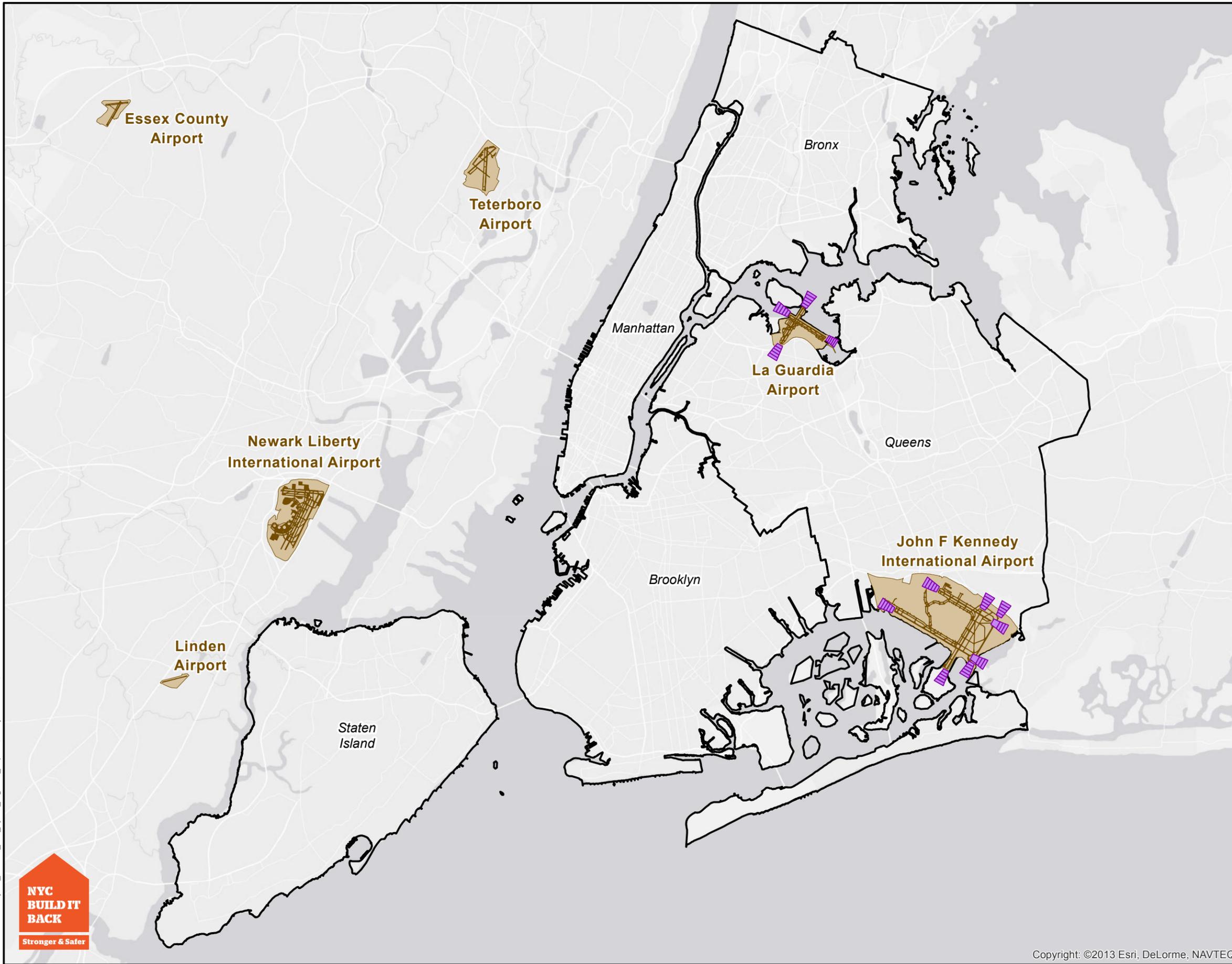
EXHIBIT  
**8**

**COASTAL BARRIER  
RESOURCE MANAGEMENT**

**NYC** Housing  
Recovery

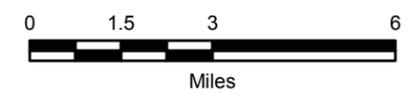
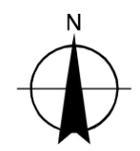
**NYC  
BUILD IT  
BACK**

Stronger & Safer



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Runway Clear Zones  
*Federal Aviation Administration (July 2002)*
- Airports**
-  Airport Runway
-  Airport Area  
*Tele Atlas North America, Inc and ESRI (June 2010)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

EXHIBIT  
**9**

**REGIONAL AIRPORTS**



## 6.0 TIER I STATUTORY AND ENVIRONMENTAL ASSESSMENT CHECKLISTS

### 6.1 Tier I Statutory Checklist

#### 24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

**Grant Recipient:** New York City, New York. **Project Name:** CDBG-DR: New York City’s Hurricane Sandy Recovery Program **NYC BUILD IT BACK: NYCHA Public Housing Rehabilitation and Resilience.**

**Project Description (Include all actions which are either geographically or functionally related):**  
*NYC OMB, as the Responsible Entity for the U.S. Department of Housing and Urban Development (HUD) will provide funding to NYCHA to rehabilitate its public housing facilities damaged by Hurricane Sandy in October 2012. CDBG-DR funds allocated for the NYCHA Public Housing will be applied towards the followings: 1) Restoration or replacement of building systems and services; 2) Activities that make building systems and services resilient to future storm forces by elevating and strengthening critical systems; 3) Rehabilitation of NYCHA community centers. This Statutory Checklist is intended to evaluate the project at the Tier I level of environmental review for the 16 Environmental Compliance Factors listed below, prior to release of funding by the GLO. This approach is consistent with HUD’s tiering regulations found at 24 CFR 58.15.*

**Location:** New York City, NY

This project requires preparation of an Environmental Assessment according to: [Cite section(s)] HUD NEPA regulations at 24 CFR Part 58.36.

#### **Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

#### **Compliance Documentation**

<p><b>Historic Preservation</b> [36 CFR 800]</p>	<p>New York City (NYC) has numerous registered historic sites and cultural resources of significance. These include listed sites from the National Register of Historic Places, historic markers, historic districts, and cemeteries as displayed in <b>Appendix A, Figure 1-1</b>. The historic value of structures will be evaluated during site-specific environmental review (ER).</p> <p>A Programmatic Agreement (PA) among the Federal Emergency Management Agency (FEMA), the New York State Historic Preservation Office, the New York State Office of Emergency Management (OEM), the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC Landmarks Preservation Commission, and the Advisory Council on Historic Preservation, as a result of Hurricane Sandy has been executed and the City of New York has been added to the PA using the addition of an Appendix to the PA (dated June 24, 2013). The PA establishes the protocol for Section 106 consultation of proposed activities under the NYCHA Public Housing recovery efforts. [<b>Appendix B, Attachment 1</b>].</p> <p>The property/structure meets one or more of the programmatic allowances identified in Appendix B of the PA. Beyond file documentation, no additional coordination is required.</p> <p><u>Or</u></p> <p>The property/structure does involve a National Historic Landmark, involves work beyond the programmatic allowance, or does not meet the allowance criteria. The Standard Project Review in accordance with the PA is required. If a finding of No Historic Properties Affected is determined, Section 106 compliance has been met. If an Adverse Effect is determined, the project can enter into the Abbreviated Consultation Process (the application of Treatment Measures outlined in <b>Appendix C</b> will suffice and a Memorandum of Agreement [MOA] is not necessary) or an MOA (if the Abbreviated Consultation Process is determined infeasible or is</p>
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**Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

**Compliance Documentation**

	<p>objected to by any of the consulting parties) will be developed in accordance with 36 CFR § 800.6(c) to stipulate treatment measures to avoid, minimize, and/or mitigate adverse effects on historic properties.</p>
<p><b>Floodplain Management</b> [24 CFR 55, Executive Order 11988]</p>	<p>FEMA released preliminary work maps on June 10, 2013 as an interim product prior to developing the preliminary flood insurance rate maps (P-FIRM); these have replaced the Advisory Base Flood Elevation (ABFE) information that was utilized in some impacted communities as the Best Available Data for rebuilding and recovery efforts in the aftermath of Hurricane Sandy. The zones are displayed in <b>Appendix A, Figure 2-1</b>. The Advisory 1% annual chance floodplain includes both AE and VE Advisory Flood Hazard Zones. Advisory Zone VE is comprised of the area subject to high velocity wave action (a 3-foot breaking wave) from the 1% annual chance coastal flood. Zone VE is subject to more stringent building requirements than other zones because these areas are exposed to a higher level of risk. Advisory Zone AE is comprised of the area subject to storm surge flooding from the 1% annual chance coastal flood. These areas are not subject to high velocity wave action but are still considered high risk flooding areas. All projects proposed for funding under CDBG-DR which are located within Advisory Flood Zones AE and VE will be restricted from building footprint expansions and must purchase and maintain flood insurance.</p> <p>NYCHA has 58 public housing facilities as well as community centers that are situated in the 100-year floodplain as displayed in <b>Appendix A, Figure 2-1</b>. Activities performed here must comply fully with Executive Order (EO) 233 and NYC Building Code. Project sites located within Advisory Flood Zones AE and VE will follow the 8-step decision-making process in accordance with § 55.20. NYC will conduct a site-specific evaluation as required by EO11988 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of construction activity in the floodplain. Construction would occur in accordance with the NYC Building Code's provisions for flood-resistant construction and require critical building systems to be elevated. Site-specific application review will include a flood zone determination using the base flood elevations (BFE) in the preliminary work maps +1 or FEMA P-FIRM upon issuance for the area, as it may indicate a different elevation requirement. Specific compliance and mitigation requirements will become a condition of federal assistance.</p> <p>An 8-step decision-making process is prescribed for proposed activities in the floodplains once the construction sites are determined, and in accordance with site-specific compliance and mitigation measures required by federal regulations and local floodplain ordinance. Notice for Early Public Review of a Proposal to Support Activity in the 100-Year Floodplain, and Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain and Notice of Intent to Request Release of Funds has been published (Section 3.2).</p>
<p><b>Wetlands Protection</b> [Executive Order 11990]</p>	<p>Surface waters and wetlands that may be associated are present in NYC as viewed through the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory through <a href="http://www.fws.gov/wetlands/Data/Mapper.html">http://www.fws.gov/wetlands/ Data/Mapper.html</a>. NYCHA Public Housing will conduct an evaluation as required by EO 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of proposed activities in or near a wetland area.</p> <p><b>Appendix A, Figures 3-1 and 4-1</b> respectively display surface waters and wetlands in NYC along with the location NYCHA facilities targeted for rehabilitation and resilience activities, which will be completed on existing residential structures and properties, some of which involve construction within or adjacent wetlands, marshes, wet meadows, mudflats or natural ponds. The potential for construction activities to impact wetlands exists and will be assessed by site-specific observation and ER, with completion of the 8-step decision-making process may be prescribed (<b>Section 3.0</b>), in addition to mitigation measures. Mitigation measures for projects located adjacent to wetlands will include the implementation of BMPs for storm water management and soil erosion control in accordance with state, federal, and local regulations, and for which an SPDES permit may be required on sites with greater than one acre of earth disturbance. Construction debris will be properly handled and disposed of to avoid impact on surrounding wetlands. If site-specific review determines the project will impact wetlands despite mitigation measures, it will not be covered by this Tier I ER and would require a public notice for action in a wetland to be eligible to receive CDBG-DR funding.</p>

**Compliance Factors:**

Statutes, Executive Orders, and  
Regulations listed at 24 CFR §58.5

**Compliance Documentation**

<p><b>Coastal Zone Management Act</b> [Sections 307(c),(d)]</p>	<p>Portions of the action area in NYC fall within Coastal Zone Management (CZM) areas as displayed in <b>Appendix A, Figure 5-1</b>. NYCHA anticipates rehabilitation and resilience activities will be completed on existing residential developed sites, existing structures, and/or existing structural footprints, and will not contribute to increased occupant density for any project site. For projects located within NYC's designated coastal zone, the proposed activities will be compliant with the City's Waterfront Revitalization Program (WRP) and the CZM Plan of the NY Department of State (<b>Appendices B-2 and B-3</b>). For public housing rehabilitation and resilience projects located adjacent in the coastal zone BMPs for storm water management and soil erosion control will be implemented, for which an SPDES permit may be required on sites with more than one acre of planned earth disturbance.</p>
<p><b>Coastal Barrier Resources Act 16 U.S.C 3501-3510</b></p>	<p>The Coastal Barrier Resource System occupies a portion of NYC, involving coastal zone territory in southern Queens and southeast Brooklyn. Per Section 5.0 Compliance Documentation Checklist, CDBG-DR funds will not provide assistance to rehabilitate buildings damaged by Hurricane Sandy that are located within a CBRA unit. Proposed rehabilitation and resilience projects located in Other Protected Areas of the coastal barrier resource would not be eligible to receive flood insurance, and therefore would not be assisted with CDBG-DR funds. However, no NYCHA properties damaged by Hurricane Sandy are partially or wholly within, or located adjacent to, a CBRA Unit or Other Protected Area (<b>Appendix A, Figure 5-2</b>). Therefore, no further assessment of this compliance factor is required.</p>
<p><b>Sole Source Aquifers</b> [40 CFR 149], SDWA (42 USC 201,300(f) et seq., and 21 USC 349</p>	<p>There are Sole Source Aquifers located in NYC as viewed on U.S. Environmental Protection Agency (EPA) Region 6 sole source aquifers information page as displayed in <b>Appendix A, Figure 6-1</b> and at <a href="http://www.epa.gov/earth1r6/6wq/swp/ssa/maps.htm">http://www.epa.gov/earth1r6/6wq/swp/ssa/maps.htm</a>. However, these aquifers are not currently used to provide water to NYC or NYCHA housing facilities as the potable water supply is provided from impoundment water sources located in watersheds north of NYC, as viewed at: <a href="http://www.nyc.gov/html/dep/html/drinking_water/wsmaps_wide.shtml">http://www.nyc.gov/html/dep/html/drinking_water/wsmaps_wide.shtml</a>. Additionally, NYCDEC maintains a well system in southwest Queens and although not currently in use, potential plans to reactivate the wells as temporary stopgaps or to provide long term potable water for the City are in place. However, this system is located in southwest Queens, north and outside of the inundation area. NYCHA Public Housing rehabilitation and resilience activities will be completed on existing residentially developed sites, on existing structures and footprints, and water utilities will be connected to City sources with the required permits. No further assessment of this compliance factor is required.</p>
<p><b>Endangered Species Act</b> [50 CFR 402]</p>	<p>According to the most current species list for NY State available from the USFWS website <a href="http://www.fws.gov/northeast/nyfo/es/CoListCurrent.pdf">http://www.fws.gov/northeast/nyfo/es/CoListCurrent.pdf</a> and displayed in <b>Appendix A, Tables 7-1 and 7-2, and Figures 7-1 and 7-2</b>. With the exception of occasional transient individuals, no Federally-listed or proposed endangered or threatened species, or candidate species under USFWS jurisdiction are known to exist in the counties of New York (Borough of Manhattan), Kings (Borough of Brooklyn), Bronx (Borough of the Bronx), and Richmond (Borough of Staten Island). However, the piping plover, roseate tern, and seabeach amaranth are known/likely to occur in Queens County. The piping plover and seabeach amaranth are common to the beaches along coastal areas of the Rockaway Peninsula (roseate terns historically nested on the peninsula but there are no recent records of their breeding since 1998). Based upon this information, USFWS has determined that federally funded rehabilitation and resilience activities in Manhattan, Bronx, Brooklyn, Staten Island and areas of Queens other than the Rockaway Peninsula would have No Effect on federally identified endangered or threatened species within the USFWS's jurisdiction (<b>Appendix B-4</b>).</p> <p>For Queens County (Borough of Queens), the piping plover (threatened bird species), the roseate tern (endangered bird species), and the seabeach amaranth (threatened plant species) are known/likely to occur. Therefore, CDBG-DR funded activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway in the borough of Queens have the potential to affect, but are not likely to adversely affect, the piping plover. In consultation with FWS, the piping plover habitat on the Rockaway Peninsula is generally located along the beaches between Beach 71st Street to the west and Beach 20th Street to the east. To address potential effects to this species, the City proposes to restrict all CDBG-DR funded exterior construction activities on properties that fall within 200 meters of the Rockaway boardwalk (the northern limit of the beach) between Beach 71<sup>st</sup> Street and Beach</p>

**Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

**Compliance Documentation**

	<p>20<sup>th</sup> Street for the duration of the nesting season (April 1 to September 1).</p> <p>None of the NYCHA Public Housing developments are located within 200 meters of the identified habitat and buffer areas of the piping plover. Therefore, no further assessment of this compliance factor is required. <b>Appendix A, Figures 7-1, 7-2, and 7-4</b> displays vicinities of Critical Habitat for Rare, Threatened, and Endangered Species in NYC.</p>
<p><b>Migratory Bird Treaty Act</b> [50 CFR 10, 20, 21, Executive Order 13186]</p>	<p>NYCHA Public Housing rehabilitation and resilience activities will be completed on existing residential developed sites and existing structures. The Atlantic Flyway, as displayed in <b>Appendix A, Figure 4-1</b>, encompasses the NYC area and as such, the potential to affect migratory birds, migratory bird nesting sites, or critical migratory bird habitat is anticipated. However, consultation completed with the USFWS for the Endangered Species Act compliance factor above (<b>Appendix B-6</b>), indicates that for Queens County (Borough of Queens), the piping plover (threatened bird species), the roseate tern (endangered bird species) are known/likely to occur. Therefore, CDBG-DR funded activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway in the borough of Queens have the potential to affect, but are not likely to adversely affect, the piping plover. In consultation with FWS, the piping plover habitat on the Rockaway Peninsula is generally located along the beaches between Beach 71st Street to the west and Beach 20th Street to the east. To address potential affects to this species, the City proposes to restrict all CDBG-DR funded exterior construction activities on properties that fall within 200 meters of the Rockaway boardwalk (the northern limit of the beach) between Beach 71<sup>st</sup> Street and Beach 20<sup>th</sup> Street for the duration of the nesting season (April 1 to September 1). Potential impacts to the plover will be addressed per the mitigation measures as indicated in the ESA compliance factor above, and as such no further assessment of this compliance factor is required. Targeted facilities under NYCHA Public Housing are situated within the Atlantic Migratory Bird Flyway as presented in <b>Figure 4-1: Wetlands in New York City</b>. However, these public properties are already developed for high-density occupancy, and are located in neighborhoods that are similarly zoned, often with mixed commercial land use. These neighborhoods offer no critical habitat for migratory bird species in the Atlantic flyway, as listed in <b>Table 4-1: New York City Migratory Bid List</b>, and further assessment of this compliance factor is not required.</p>
<p><b>Wild and Scenic Rivers Act</b> [Sections 7 (b), (c)]</p>	<p>There are no wild and scenic rivers within NYC, as designated by the U.S. Department of the Interior and displayed in <b>Appendix A, Figure 8-1</b>. No impacts would result from NYCHA Public Housing activities and further assessment is not required.</p>
<p><b>Air Quality</b> [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]</p>	<p>NYC is classified as within an area of non-attainment, as viewed on the EPA's "Counties Designated Nonattainment" map at <a href="http://www.epa.gov/airquality/greenbook/">http://www.epa.gov/airquality/greenbook/</a> and air monitoring is performed as displayed in <b>Appendix A, Figure 9-1</b>. NYCHA Public Housing rehabilitation and resilience activities will be completed on existing residential developed sites and existing structures, and would not substantively affect the NY State Implementation Plan (SIP) due to the implementation of standard BMPs that control dust and other emissions during construction. No significant impacts on air quality will result and further assessment is not required.</p>
<p><b>Farmland Protection Policy Act</b> [7 CFR 658]</p>	<p>NYCHA public housing rehabilitation and resilience project sites are located in developed, urban, areas of NYC, where prime farmland does not remain so these projects would not involve the conversion of farmland to non-agricultural use, as can be seen on review of <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?cid=nrcs143_014_196">http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?cid=nrcs143_014_196</a> and therefore would not violate the Farmland Protection Policy Act. Further assessment is not required.</p>
<p><b>Environmental Justice</b> [Executive Order 12898]</p>	<p>NYCHA serves the housing needs the City's low-income tenant families, many of whom were affected by Hurricane Sandy's damage to critical building systems and service disruptions (i.e., elevators, electricity). Proposed rehabilitation and resilience activities include direct rehabilitation or replacement of critical systems and building infrastructure, installation of measures to restore building systems and services to pre-storm standards, strengthen the buildings by sustainably designing new systems to be more resilient, and thus further the preservation of the City's public housing asset. This program supports the City's intent to serve its low income residents affected by Hurricane Sandy. Therefore, the activities will NOT adversely impact any disadvantaged population, and are in fact intended to address the unprecedented damage to the City's public housing stock damaged by</p>

**Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

**Compliance Documentation**

	Hurricane Sandy. No further assessment is required of this compliance factor.
<b>HUD Environmental Standards</b>	<b>Determinations and Compliance Documentation</b>
<b>Noise Abatement and Control</b> [24 CFR 51 B]	Potentially excessive noise sources exist in neighborhoods of NYC, as displayed in <b>Appendix A, Figure 10-1</b> . However, as per the requirements at 24 CFR 51.101(a)(3), noise is not applicable for a disaster recovery (DR) program including reconstruction and rehabilitation. Therefore, no further assessment of this compliance factor is required. Nonetheless, construction activities conducted at NYCHA's targeted facilities must incorporate noise attenuation measures to achieve compliance with NYC's noise code (Local Law 113), which requires every construction site to have and comply with a noise mitigation plan on location.
<b>Explosive and Flammable Operations</b> [24 CFR 51C]	Potentially explosive and/or flammable facilities containing above ground storage tanks are present in NYC, and as displayed in <b>Appendix A, Figure 11-1</b> . However, the proposed NYCHA rehabilitation and resilience projects themselves will not increase the danger of offsite operations to residents of its housing facilities, nor expose people or buildings to such hazards.  The rehabilitation, replacement and addition of power generation and backup systems will be installed in accordance with state, federal, and local regulations, so no further assessment of this compliance factor is required.
<b>Toxic Chemicals and Radioactive Materials</b> [24 CFR 58.5(i); HUD Notice 79-33]	NYC contains a number of sites that are known to be contaminated, or may potentially be contaminated, with toxic chemicals or radioactive materials as displayed in <b>Figure 12-1</b> . Projects will be screened for potential Recognized Environmental Concerns (REC) and critical distances to threatening hazardous facilities/toxic cleanup sites. If the RECs cannot be resolved or properties are within 3,000 feet of a threatening hazardous facility/toxic cleanup site, then additional investigations may be required to resolve this compliance factor. If contaminants are identified, remediation may be required and conducted in accordance with all applicable city, state, and federal regulations. Mitigation measures would include removal of hazards in accordance with regulatory requirements.  NYCHA anticipates some of the facilities targeted for rehabilitation and resilience projects have exposed lead-based paint and asbestos-containing materials that may expose people to a health and safety hazard. Lead and asbestos will be handled in accordance with all applicable federal, state and local regulations. Additionally, the recipients shall comply with the Lead Disclosure Rule (24 CFR part 35, subpart A), and the Lead Safe Housing Rule's provisions for rehabilitation (subpart J) and the accompanying procedural requirements in subparts B and R.  According to the EPA, NYC is located in Radon Zone 3, where the predicted average indoor radon screening level less than 2 picocuries per liter (pCi/L).
<b>Airport Clear Zones and Accident Potential Zones</b> [24 CFR 51 D]	There are no military airports within one mile of NYC. Projects located within 2,500 feet of a civil airport would require consultation with the appropriate civil airport operator. NYCHA has a few public housing facilities within 3 miles of JFK and La Guardia airports but these are not located in or adjacent to airport clear or accident potential zones, as seen in <b>Appendix A, Figure 13-1</b> Airports in NYC, but also see <b>Appendix A, Figure 2-2</b> for location of potentially targeted NYCHA properties. No further assessment per 24 CFR 51D is required.
<b>Magnuson-Stevens Fishery Conservation and Management Act</b> [16 USC 1801 et seq]	The Magnuson-Stevens Fishery Conservation and Management Act applies to ocean fish, including ocean fish that spawn in freshwater or estuaries. The act requires protection of "essential fish habitat", defined as habitat fish need for spawning, breeding, feeding, or growth to maturity. There are no projects proposed in areas of Essential Fish Habitat ( <b>Appendix A, Figure 7-3</b> ) and the implementation of best management practices for erosion and sedimentation control and the management of hazardous and toxic materials will prevent sediment and contaminants from entering the areas of Essential Fish Habitat in the waters adjacent to the five boroughs within NYC. Therefore, no adverse affects are anticipated as a result of the proposed activity and therefore, no further coordination is required relating to this act.
<b>Fish and Wildlife Coordination Act</b> [16 USC 661-666c]	The Fish and Wildlife Coordination Act applies to the impounding, diverting, deepening, or otherwise modifying the waters of any stream or other body of water. If site-specific review determines the project will impact streams or other waters, despite mitigation measures, it will not be covered by this Tier I ER, and would require an individual public notice for action in a

**Compliance Factors:**

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5

**Compliance Documentation**

	water body and coordination with the USFWS, the National Marine Fisheries Service (NMFS) as appropriate, and the NYSDEC.
<b>Agriculture and Markets Law</b> [Title 1 NYCRR Section 139.2]	The Asian Longhorned Beetle (ALB) ( <i>Anoplophora glabripennis</i> ) is an invasive beetle believed to have arrived in New York from its native China via untreated packing crates and wooden pallets. Infestations have been discovered in Brooklyn, Queens, Manhattan, and Staten Island. On May 14, 2013, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (USDA-APHIS) announced that the boroughs of Manhattan and Staten Island were free from ALB. This announcement reduced the quarantined areas of New York from 135 to 109 square miles. To prevent further spread of the insect, quarantine zones have been established to avoid transporting wood from the infested areas. NYCHA projects involving yard waste, storm clean-up and normal tree maintenance activities involving twigs and/or branches of ½" or more in diameter of ALB host species will require proper handling and disposal and the completion of associated state or federal phytosanitary certificates.

**DETERMINATION:**

- ( ) This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); Funds may be drawn down for this (now) EXEMPT project; OR
- ( ) This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Funds (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- (X) This project is not exempt under §58.34 or categorically excluded under §58.35, and requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

**Preparer Signature:** Catherine Castaneda Date: July 15, 2013

**Preparer Name:** Catherine Castaneda

**RESPONSIBLE ENTITY AGENCY**

**Official Signature:**  Date: 7/15/13

**Name, Title:** Calvin Johnson, Community Development Block Grant - Disaster Recovery  


## 6.2 Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact.

Impact Codes: **(1)** No impact anticipated; **(2)** Potentially beneficial; **(3)** Potentially adverse; **(4)** Requires mitigation; **(5)** Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Project Name and Identification No.: **NYC Build It Back: NYCHA Public Housing Rehabilitation and Resilience (NYC Public Housing)**

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	Land use is zoned in New York City (NYC). In response to the need to elevate buildings based on the Advisory Base Flood Elevation Maps released by FEMA in January 2013, Mayor Michael Bloomberg signed Executive Order (EO) 233 on February 5, 2013. The purpose of EO 233, titled "Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards", allows for the waiving of certain provisions of the Zoning Resolution that could have prevented, hindered or delayed disaster recovery. In addition, many buildings damaged by Hurricane Sandy were constructed prior to today's Zoning regulations and were deemed lawfully "noncomplying" before Hurricane Sandy. The EO was necessary because reconstructing or elevating a building at a higher level in many instances would be prohibited by the Zoning Resolution as creating new or increasing existing zoning noncompliance. NYCHA Public Housing will be installing emergency power generation equipment and other critical building systems above the ABFE at its facilities in the 100-year floodplain as required by FEMA, and the equipments will be installed and maintained as required by NYC Building Code No significant effects related to zoning and adopted public policies are expected from the proposed projects and land use conditions as shown in <b>Appendix A, Figure 14-1. Vegetation and Land Use in NYC will not be changed.</b>
Compatibility and Urban Impact	1	CDBG-DR funding would result in the rehabilitation or replacement of critical building infrastructure and the incorporation of new equipment and measures to restore structure elements and service systems to pre-storm conditions. Proposed projects include the addition of permanent emergency power generators, and possibly raising boilers and switch gear to buildings within the revised Flood Zone A. As proposed these rehabilitation and resilience measures benefit NYCHA's tenant residents without effects to urban design.
Slope	1	CDBG-DR funding would result in the rehabilitation or replacement of critical building infrastructure and the incorporation of new equipment and measures to restore structure elements and service systems to pre-storm conditions Slope would not be altered with the proposed project and impacts related to changes in slope would not occur (see <b>Appendix A, Figures 15-1 and 16-1</b> for Geology and Soil Survey Classification in NYC)
Erosion	1	CDBG-DR funding would result in the rehabilitation or replacement of critical building infrastructure and the incorporation of new equipment and measures to restore structure elements and service systems to pre-storm conditions. No significant impacts would occur (see <b>Appendix A, Figures 17-1 and 18-1</b> for Geology and Soil Survey Classification in NYC).

Land Development	Code	Source or Documentation
Soil Suitability	1	Soil suitability for the proposed activities has been established given the historically approved development of these high density residential facilities. Therefore, no impacts related to soil suitability would result from the proposed projects. See <b>Figures 17-1 and 18-1</b> for Geology and Soil Survey Classification in NYC).
Hazards and Nuisances including Site Safety	4	The construction effects associated with the proposed activities would be typical of construction effects throughout NYC. Typical effects of rehabilitation include sidewalk closures or narrowing, fugitive dust and noise, which would be addressed under existing regulations governing construction activity in NYC.  Appropriate measures to mitigate or minimize effects of construction-related activities on historic resources, endangered or threatened species, and/or redevelopment in the floodplain or wetland would be incorporated into project construction and or operation. Measures to minimize exposure of hazardous materials to workers and the public would be undertaken at sites identified with contamination (see <b>Appendix A, Figures 1-1 through 19-1</b> ).
Energy Consumption	1	All rehabilitation work would meet Enterprise Green Communities standards for environmentally sustainable construction, including energy efficiency measures. Projects would utilize the existing electrical grid and would be developed in accordance with the NY State Energy Conservation Code. No significant impacts would occur.
Noise - Contribution to Community Noise Levels	1	In terms of stationary noise sources, building mechanical systems (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the NYC Noise Control Code, the NYC Department of Buildings Code) to avoid producing levels that would result in any significant increase in ambient noise levels. No significant impacts would occur.  The rehabilitation of the NYCHA facilities using CDBG-DR would result in the same amount of development which existed at pre-Hurricane Sandy levels. Significant levels of traffic would not be generated and no significant impacts related to project-generated mobile source noise would occur (see <b>Appendix A, Figure 10-1</b> ). Construction activities conducted at NYCHA's targeted facilities must incorporate noise attenuation measures to achieve compliance with NYC's noise code (Local Law 113), which requires every construction site to have and comply with a noise mitigation plan on location.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	2	NYC is a non-attainment area for particulate matter, and in some instances for ozone (see <b>Appendix A, Figures 9-1 and 17-1</b> ). It is not expected that projects would contribute to community air pollution levels as they would not result in significant levels of traffic or unusually high concentrations of stationary source emissions (boiler emissions). In cases where boiler replacement is necessary, cleaner burning natural-gas fired boilers would be installed, resulting in potential benefits in the form of cleaner air.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	No effects related to environmental design are anticipated and significant effects related to compatibility and urban impact would not result from the proposed rehabilitation of storm damaged NYCHA public housing facilities.
Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	The proposed use of CDBG-DR funds for the rehabilitation of storm damaged NYCHA public housing facilities would not alter the demographic character of these areas. The occupants of a proposed project will most likely be the same occupants that resided in the area prior to Sandy. No significant impacts would occur (see <b>CDBG-DR Partial Action Plan A, and Section 1.0, Table 1-2</b> for available demographic information on Hurricane Sandy-damaged neighborhoods in NYC).
Displacement	2	One of the primary objectives of the City's response to Sandy and CDBG-DR funding is to avoid the permanent displacement of residents. Rehabilitation of storm damaged NYCHA public housing facilities would ensure that safe and sustainable housing will be provided and that residents displaced by the Sandy can return to their communities.
Employment and Income Patterns	2	In addition to housing, CDBG-DR funding will be used by NYC to revitalize Hurricane Sandy-damaged neighborhoods by repairing vital infrastructure and commercial businesses. The funding is intended to generate economic activity and revitalize businesses and other commercial operations lost when Hurricane Sandy struck the City. The rehabilitation of the NYCHA public housing facilities would support

		employment and income patterns. Projects are not expected to not result in significant effects on area employment and income patterns. In addition, the proposed activities would benefit the affected areas by generating employment for the construction industry.
<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source or Documentation</b>
Educational Facilities	2	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not result in adverse effects on public schools operated or chartered by the NYC Department of Education (DOE). In many cases, students displaced from the storm would be able to return to their neighborhood schools (see <b>Appendix A, Figure 18-1</b> for location of educational facilities).
Commercial Facilities	2	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not result in a significant effect on existing commercial establishments. It is likely that existing commercial uses would be within close proximity to the project sites. Returning residents may frequent retail establishments in the neighborhood, which will benefit to local businesses, especially those that experienced a decrease in business since the storm.
Health Care	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not introduce a sizeable new neighborhood to the City and no new demand would be generated. No significant impacts would occur (see <b>Appendix A, Figure 18-1</b> ).
Social Services	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not create a new demand for social services and no significant impacts would occur. Social services are provided by a range of non-profit and NYC and State agencies.
Solid Waste	1	The NYC Department of Sanitation provides municipal solid waste disposal. The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would result in generation of remodeling, demolition, and construction waste and may cause a slight temporary increase in the generation of municipal waste. (see <b>Appendix A, Figure 12-1</b> ).
Waste Water	1	Waste water would be handled by the NYC Department of Environmental Protection (DEP). The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not place a significant demand on waste water disposal/treatment services. No significant impact would occur.
Storm Water	1	Storm water would be managed by DEP. The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities properties would not place a significant demand on the City's storm water system. Standard BMPs will incorporate storm water control measures on the construction sites. No significant impact would occur.
Water Supply	1	NYC's potable water supply is provided and managed by DEP and the water sources are from impoundments located in watersheds north of the City. Sole source aquifers are not used as can be seen in <b>Appendix A, Figure 6-1</b> and at <a href="http://www.nyc.gov/html/dep/html/drinking_water/wsmaps_wide.shtml">http://www.nyc.gov/html/dep/html/drinking_water/wsmaps_wide.shtml</a> . The proposed use of CDBG-DR funding for the rehabilitation of storm damaged 1NYCHA public housing facilities would not place a significant demand on the City's water supply. No significant impact would occur.
Public Safety - Police	1	There is no impact anticipated on police services due to the proposed projects. The NYC Police Department provides police protection service throughout the City. The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would help displaced homeowners return to their neighborhoods, which would stabilize those neighborhoods and restore public safety (see <b>Appendix A, Figure 18-1</b> ).
- Fire	2	There is no impact anticipated on fire services due to the proposed projects. Fire protection service is provided by the NYC Fire Department. The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would help displaced homeowners return to their neighborhoods, which would stabilize those neighborhoods and restore public safety. Furthermore, these activities would provide potential benefits by reducing the amount of derelict properties, which pose potential fire hazards (see <b>Appendix A, Figure 18-1</b> ).
-Emergency Medical	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not place a significant demand on area health care facilities, including emergency facilities. In NYC, a detailed analysis of health

		care demand is typically conducted if a proposed project would introduce a sizeable new neighborhood to the City. The objective of CDBG-DR is to preserve existing neighborhoods by helping displaced homeowners return to their storm damaged properties (see <b>Appendix A, Figure 18-1</b> ).
<b>Community Facilities and Services</b>	<b>Code</b>	<b>Source or Documentation</b>
Open Space and Recreation - Open Space	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would not introduce a sizeable new population to neighborhoods struck by Sandy; therefore no new demand on open space would be generated. As part of its overall recovery effort, the City will repair damaged parks and equipment. No significant impacts would occur (see <b>Appendix A, Figure 19-1</b> ).
- Recreation	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities properties would not introduce a sizeable new population to neighborhoods struck by Sandy; therefore no new demand on recreational facilities would be generated. As part of its overall recovery effort, the City will repair damaged parks and equipment (see <b>Appendix A, Figure 19-1</b> ). No significant impacts would occur.
- Cultural Facilities	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities properties would not result in impacts to cultural facilities.
Transportation	1	The proposed use of CDBG-DR funding for the rehabilitation of storm damaged NYCHA public housing facilities would help residents return to their homes and would therefore cause a slight increase in traffic levels and demand for public transportation services relative to current conditions, but would not increase levels or demand relative to the conditions prior to Hurricane Sandy. BMPs would be implemented to prevent impeding traffic flow along construction routes by construction measures.
<b>Natural Features</b>	<b>Code</b>	<b>Source or Documentation</b>
Water Resources	1	Projects involving rehabilitation of existing structures or reconstruction would not pose a significant threat to groundwater as the aquifers and well systems are located outside of the inundation area. Standard BMPs would be implemented. No significant impacts would occur. All projects would utilize municipal water and sewer service and have appropriate local drainage and runoff approvals (see <b>Appendix A, Figure 6-1</b> ).
Surface Water	1	There are limited surface waters within the boundaries of NYC. Most of the City's surface waters are located within designated open space areas managed by the NYC Department of Parks and Recreation. In addition, there are no wild and scenic rivers within NYC, as designated by the U.S. Department of the Interior. It is anticipated that projects would not result in a significant effect on water resources, including groundwater and surface water.  NYCHA will conduct an evaluation as required by 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of proposed activities in or near a wetland area. If a project will impact federal wetlands, it will not be covered by this Tier I ER and will require public notices for action in the wetland to be eligible to receive CDBG-DR funding (see <b>Appendix A, Figures 3-1, 4-1, 5-1, and 6-1</b> ).
Unique Natural Features and Agricultural Lands	1	There are no unique natural features or agricultural lands in NYC, as evident on <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?cid=nrcs143_014196">http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?cid=nrcs143_014196</a> . Therefore, NYCHA projects would have no effect on unique natural features and agricultural lands
Vegetation and Wildlife	1	According to the most current species list for NY State available from the USFWS website <a href="http://www.fws.gov/northeast/nyfo/es/CoListCurrent.pdf">http://www.fws.gov/northeast/nyfo/es/CoListCurrent.pdf</a> and displayed in <b>Appendix A, Tables 7-1 and 7-2, and Figures 7-1 and 7-2</b> . With the exception of occasional transient individuals, no Federally-listed or proposed endangered or threatened species, or candidate species under USFWS jurisdiction are known to exist in the counties of New York (Borough of Manhattan), Kings (Borough of Brooklyn), Bronx (Borough of the Bronx), and Richmond (Borough of Staten Island). However, the piping plover, roseate tern, and seabeach amaranth are known/likely to occur in Queens County. The piping plover and seabeach amaranth are common to the beaches along coastal areas of the Rockaway Peninsula (roseate terns historically nested on the peninsula but there are no recent records of their breeding since 1998). Based upon this information, USFWS has determined that federally funded rehabilitation and reconstruction activities in Manhattan, Bronx, Brooklyn, Staten

		Island and areas of Queens other than the Rockaway Peninsula would have No Effect on federally identified endangered or threatened species within the USFWS's jurisdiction ( <b>Appendix B-8</b> ).
<b>Natural Features</b>	<b>Code</b>	<b>Source or Documentation</b>
		For Queens County (Borough of Queens), the piping plover (threatened bird species), the roseate tern (endangered bird species), and the seabeach amaranth (threatened plant species) are known/likely to occur. Therefore, CDBG-DR funded activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway in the borough of Queens have the potential to affect, but are not likely to adversely affect, the piping plover. In consultation with USFWS, the piping plover habitat on the Rockaway Peninsula is generally located along the beaches between Beach 71st Street to the west and Beach 20th Street to the east. To address potential affects to this species, the City proposes to restrict all CDBG-DR funded exterior construction activities on properties that fall within 200 meters of the Rockaway boardwalk (the northern limit of the beach) between Beach 71 <sup>st</sup> Street and Beach 20 <sup>th</sup> Street for the duration of the nesting season (April 1 to September 1). (Section is pending coordination with USFWS). None of the NYCHA Public Housing developments are located within 200 meters of the identified habitat and buffer areas of the piping plover. Therefore, no further assessment of this compliance factor is required. <b>Appendix A, Figures 7-1, 7-2, and 7-4</b> displays vicinities of Critical Habitat for Rare, Threatened, and Endangered Species in NYC.
<b>Other Factors</b>	<b>Code</b>	<b>Source or Documentation</b>
Historical and Cultural Resources	3	NYC has numerous registered historic sites and cultural resources of significance. These include listed sites from the National Register of Historic Places, historic markers, historic districts, and cemeteries as displayed in <b>Appendix A, Figure 1-1</b> . The historic value of structures will be evaluated during site specific environmental review (ER). A Programmatic Agreement (PA) among the Federal Emergency Management Agency (FEMA), the New York State Historic Preservation Office, the New York State Office of Emergency Management, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC Landmarks Preservation Commission, and the Advisory Council on Historic Preservation, as a result of Hurricane Sandy has been executed and the City of New York has been added to the PA using the addition of an Appendix to the PA (June 24, 2013). The PA establishes the protocol for Section 106 consultation of proposed activities under the NYCHA recovery efforts. [ <b>Appendix B, Attachment 1</b> ].
Coastal Zone Management	1	Portions of the action area in NYC fall within Coastal Zone Management (CZM) areas as displayed in <b>Appendix A, Figure 5-1</b> . Activities will be completed on existing residential developed sites, existing structures and/or existing structural footprints, and will not contribute to an increase of the structural footprint not increased occupant density for any project site. For projects located within NYC's designated coastal zone, the proposed activities will be covered through compliance with the City's federally approved CZM plan as presented in <b>Appendix B-5 and B-7</b> and described in 2012 Memorandum of Understanding with the NY Department of State presented in <b>Appendix B</b> . If federal authorizations/permits are required, further coordination with the NY Department of State would occur.

Note:

The Responsible Entity must additionally document compliance with 24 CFR §58.6 in the ERR, particularly with the Flood Insurance requirements of the Flood Disaster Protection Act and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.

**Summary of Findings and Conclusions:** See **Sections 1.0, 2.0, and 9.0** of this document.

**Summary of Environmental Conditions:** See **Sections 1.0, 2.0, 3.0, 4.0, 5.0 and 9.0** of this document.

**Alternatives:** Determine and describe possible alternatives to the proposed project, including the alternative of not implementing the project. The feasibility of each alternative and the reasons why each should be adopted or rejected should be discussed sufficiently to indicate that an adequate consideration of each alternative has occurred. See **Section 1.0** of this document.

**Comparative Analysis:** See **Sections 1.0, 5.0,** and **6.0** of this document. Local and area-wide plans that demonstrate environmental considerations can serve as the context within which a comparison of alternative sites is made (i.e., by a project's consistency with the environmental criteria for site selection as may be established with such plans).

**Additional Studies Performed (attach study or summary):** Work plans and standard procedures will be developed for Tier II site-specific ER.

## 7.0 TIER II SITE-SPECIFIC STATUTORY AND ENVIRONMENTAL ASSESSMENT CHECKLISTS

### 7.1 Tier II Site-Specific Environmental Assessment Checklist

\*Intended for use following CEST and EA level Tier 1 Environmental Review conducted for rehabilitation and resilience activities for NYCHA public housing facilities

<b>HUD Grant Number:</b> B-13-MS-36-0001	
<b>NYC OMB Submittal Date:</b>	<b>File #:</b>
<b>Date of Field Inspection:</b>	<b>Date of Desktop Review:</b>
<b>Time In:</b>	<b>Time Out:</b>
<b>Inspector Name:</b>	<b>Contact Information:</b>
<b>Reviewer Name:</b>	<b>Contact Information:</b>
<b>Name of applicant:</b> NYC Build It Back: NYCHA Public Housing Rehabilitation and Resilience	
<b>Public housing development name:</b>	
<b>Property address:</b>	
<b>Borough:</b>	<b>Census Tract:</b>
<b>Block:</b>	<b>Lot:</b>
<b>Target Building Site(s):</b>	<b>GPS Coordinates:</b>
<b>Attachments:</b>	
<p><b>Project Description:</b> [Note: Throughout this annotated form, explanatory language is in blue font. Introduction for all activities:</p> <p>A Tier 1 Environmental Assessment (EA) was completed for NYCHA Public Housing Rehabilitation and Resilience. This is the site specific review for activities eligible under this program.]</p> <ul style="list-style-type: none"> <li>• <b>For rehabilitation:</b> The proposed project involves rehabilitation and resilience activities at the public housing development with the above-listed address, where the building facilities are not located in the 100-year floodplain but received damage as a result of Hurricane Sandy. This housing development was constructed in (insert year). Proposed activities would include addressing storm-related damage to building systems (insert mechanical, electrical, etc) and bringing the property up to current minimum property standards and compliance with applicable requirements. Activities would be limited to the disturbed area of the previously developed site (OR Activities would largely be limited to the disturbed area of the previously developed site, but would disturb and the expansion of the target building footprint to accommodate additional building systems equipment for resiliency purposes). Figure A-1 displays the location of the proposed activity is provided in Appendix A (Attach map).</li> <li>• <b>For rehabilitation plus elevation:</b> The proposed project involves rehabilitation and elevation activities at the public housing development with above-listed address, where the building facilities are located in the 100-year floodplain and received damage as a result of Hurricane Sandy. This housing development was constructed in (insert year). The proposed combination of activities would reduce the development's vulnerability to natural disasters and include addressing storm-related damage to building systems (insert mechanical, electrical, back-up (OR permanent) power generation systems, etc), bringing the property up to current minimum property standards and compliance with applicable requirements, and would include elevation of building systems equipment to one foot above the base flood elevation (BFE) in accordance with the Preliminary Work Maps published by FEMA at <a href="http://www.region2coastal.com">www.region2coastal.com</a> (OR the Preliminary-Flood Insurance Rate Maps published by FEMA). Activities would be limited to the disturbed area of the previously developed property (OR Activities would largely be limited to the disturbed area of the previously developed site, but would also disturb new locations as required to install piers and beams for the elevation of a structure to support back-up (OR permanent) power generation equipment, etc), and the expansion of the target building footprint to accommodate additional building systems equipment for resiliency purposes). Figure A-1 displays the location of the proposed activity is provided in Appendix A. (Attach map)</li> <li>• <b>For mitigation:</b> The proposed activity requires mitigation to address the presence of (insert as applicable: asbestos, mold, lead, gas vapors, or other substance) at the above-listed address in targeted work areas to reduce the risk of exposure. This housing development's building systems were damaged by Hurricane Sandy. This housing development was constructed in (insert year). Mitigation would include (briefly describe the proposed mitigation). All activities would be limited to the disturbed area of the previously developed lot. Figure A-1 displays the location of the proposed activity is provided in Appendix A (Attach map).</li> </ul> <p><b>Finding of Tier 2 Review (Note: Choose one of the following:)</b></p> <p><input type="checkbox"/> The proposed activity complies with environmental requirements for funding.</p>	

- The proposed activity does not comply with environmental requirements for funding because (provide reason such as permanent impact to a wetland or inconsistency with the coastal program).
- A finding cannot be made without (describe missing information or documentation).

**Site Specific Findings**

**1. Historic Preservation  
(36 CFR Part 800)**

Project area is located entirely within a mapped “green zone” where there are no above-ground historic properties as identified jointly by FEMA and NYCOMB windshield surveys, and no ground disturbance is proposed outside of the previously developed area of the lot.

If yes, concurrence was provided for: Name of town \_\_\_\_\_; Date: \_\_\_\_\_; OMB project #: \_\_\_\_\_ **(Review concluded)**

Project area is not located entirely within a mapped “green zone”, but is comprised entirely of an activity listed in the Tier I or Tier II Programmatic Allowance specified in the Programmatic Agreement.

- Activity meets Tier I Programmatic Allowance # \_\_\_\_\_
- Activity meets Tier II Programmatic Allowance # \_\_\_\_\_ **(Requires SOI qualified professional)**

**Name of SOI Qualified Professional(s):** \_\_\_\_\_

Activity involves a National Historic Landmark. NYC LPC and National Park Service NHL Program Manager notified and provided appropriate project documentation.

Project activity is proposed for buildings or structures less than 45 years of age, and proposed activities substantially conform to the original footprint or would be performed in previously disturbed soils, and the buildings or structures are not in or adjacent to a historic district. **(Review concluded)**

Proposed activity does not meet any of the above circumstances, and requires full Section 106 review of the entire undertaking (Standard Project Review under Stipulation II.C. of the Programmatic Agreement).

Consultation completed with NYCOMB to identify appropriate consulting parties, including federally recognized tribes that need to be part of the Section 106 consultation process.

**Historic Buildings and Structures**

- No historic properties 45 years or older in area of activity. **(Review Concluded)**
- Building or structure 45 years or older in project area and activity not exempt from review.

- Determination of No Historic Properties Affected (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file).

- Are project conditions required?
  - No **(Review Concluded)**
  - Yes. Attach conditions. **(Review Concluded)**

- Determination of Historic Properties Affected (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file).

- Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments.

- No Adverse Effect Determination (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file)

- Are project conditions required?
  - No **(Review Concluded)**
  - Yes. Attach conditions. **(Review Concluded)**

- Adverse Effect Determination (FEMA/NYCOMB (HUD) finding/SHPO/THPO concurrence on file).

- Resolution of Adverse Effect completed
  - Standard Treatment Measures applied, letter on file
  - MOA on file

- Are project conditions required?
  - No **(Review Concluded)**
  - Yes. Attach conditions. **(Review Concluded)**

**Archaeological Resources**

Project affects only previously disturbed soils as defined on page 33 of the Programmatic Agreement.

**(Review Concluded)**

- Project affects undisturbed soils.
  - Project area has no potential for presence of archeological resources.
    - Determination of no historic properties affected (FEMA/NYCOMB (HUD) finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**
  - Project area has potential for presence of archeological resources.
    - Determination of no historic properties affected (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file).
    - Are project conditions required?
      - No **(Review Concluded)**
      - Yes. Attach conditions. **(Review Concluded)**
    - Determination of historic properties affected
      - NR eligible resources not present (FEMA/NYCOMB (HUD) finding and SHPO/ THPO concurrence on file).
      - SHPO/ THPO concurrence on file).
      - Are project conditions required?
        - No **(Review Concluded)**
        - Yes. Attach conditions. **(Review Concluded)**
      - NR eligible resources present in area of activity. (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file).
        - No Adverse Effect Determination (FEMA/NYCOMB (HUD) finding and SHPO/THPO concurrence on file).
      - Are project conditions required?
        - No **(Review Concluded)**
        - Yes. Attach conditions. **(Review Concluded)**
      - Adverse Effect Determination (FEMA/NYCOMB (HUD) finding and SHPO/ THPO concurrence on file).
        - Resolution of Adverse Effect completed.
          - Standard Treatment Measures applied.
          - MOA on file.
      - Are project conditions required?
        - No **(Review Concluded)**
        - Yes. Attach conditions. **(Review Concluded)**

**2. Floodplain Management and Flood Insurance  
(EO 11988, 24 CFR Part 55, and 24 CFR 58.6)**

The proposed site is (check only one of the following):

- Not in a 100-year floodplain (AE and VE zones). Attach appropriate floodplain map showing site location. **(Compliance met with EO 11988, 24 CFR Part 55, and 24 CFR 58.6. Analysis complete.)**
- In a 100-year floodplain (AE and VE zones) and in a NFIP-participating community. Is the activity in a floodway?
  - Yes. **Does not comply** with EO 11988, 24 CFR Part 55, and 24 CFR 58.6. Attach appropriate floodplain map showing site location. (Analysis complete)
  - No. The activity:
    - Is not known to be exempt from the 8-step floodplain management decision making process but is adequately covered by the 8-step process completed for rehabilitation, reconstruction, elevation, and mitigation under the NYCHA Public Housing Rehabilitation and Resilience. Substantial improvement actions will be elevated to the best available (most recent) flood elevation plus at least 1 foot. **Compliance met** with EO 11988, 24 CFR Part 55, and 24 CFR 58.6. Explain basis for conclusion. Attach appropriate floodplain map. Activity requires a NYC Department of Buildings permit:
    - Is not known to be exempt from the 8-step floodplain management decision making process and is not adequately covered by the 8-step process completed for rehabilitation, reconstruction, elevation, and mitigation under the programs. Prepare site-specific supplement to 8-step process. Substantial improvement actions will be elevated to the best available (most recent) flood elevation plus at least 1 foot. **Compliance met** with

EO 11988, 24 CFR Part 55, and 24 CFR 58.6. Activity requires a NYC Department of Buildings permit:

An activity is not adequately covered by the programmatic 8-step process if it would not comply with a requirement listed in the 8-step document or it would involve special circumstances not addressed in the 8-step document. The fundamental requirements are:

- Flood insurance
- Elevation to at least 1 foot above the 100-year flood level (2 feet in nontidal floodplains),
- Not building or rebuilding in a floodway, and,
- If applicable, compliance with the special requirements for VE zones.

Flood insurance is required only if the structure is in the 100-year floodplain (AE or VE zone) shown on the preliminary work maps or the P-FIRMs. Flood insurance is not required if the structure is in the 100-year floodplain shown on an ABFE map, preliminary work map, or a preliminary FIRM, but not in the 100-year floodplain shown on the effective FIRM. If a parcel is partly in the 100-year floodplain and partly outside it, and the structure could be reconstructed inside or outside the floodplain, that is a special circumstance not addressed in the 8-step document. If the structure is rebuilt, it should be rebuilt outside the floodplain.

Is the activity within the 500-year floodplain (Zone Shaded X) Check one box:

- Yes. Attach map and recommend participation in the NFIP.  
 No. Attach map.

### 3. Wetlands Protection

#### (EO 11990 and Clean Water Act, especially Section 404)

Are coastal or freshwater wetlands on or adjacent to the site?

- No. Document the determination. Attach appropriate Wetland map. (Analysis complete)  
 Yes. Would the activity affect the wetlands?

Work in wetlands, including operation of equipment in wetlands, would affect the wetlands. A freshwater wetland greater than 12.4 acres and the 100-foot 'adjacent area' (measured horizontally) surrounding the wetland is granted protection under the Freshwater Wetland Act of 1975 (Article 24 of the ECL). Tidal wetlands within the City of New York and the 150-foot landward boundary 'adjacent area' are granted protection under the Tidal Wetlands Act (Article 25 of the ECL). Work in state or federally protected wetlands and/or their adjacent areas constitute a direct impact to the wetland. Best management practices should prevent impact to adjacent wetlands.

- No. Outside wetland and no effect on wetlands. Explain why wetlands would not be affected and attach appropriate wetland map. **Compliance met.** (Analysis complete)

In most cases, the explanation will be a lack of nearby wetlands, implementation of best management practices, or a combination. A site inspection by a qualified wetlands professional may be necessary for this determination.

- Yes. Possible adverse effect associated with constructing in or near wetlands. Would the effect be permanent or temporary?

If the wetlands and/or their adjacent areas, if appropriate, would be filled, paved, or built upon, the effect would be permanent. Effects of operating equipment on wetlands should be temporary. A site inspection by a trained wetland professional is required to confirm wetlands will be adversely affected.

- Permanent. Explain basis for conclusion. **Activity is not in compliance.** (Analysis complete)

- Temporary. Describe the impact on wetlands and the status of the 8-step process for determining no practical alternative pursuant to Executive Order 11990. Explain the process for securing a permit for modifications to wetland areas pursuant to Section 404 of the Clean Water Act.

Temporary impacts to wetlands require the 8-step process to be completed. The activity is not in compliance unless the 8-step process is completed for the activity. A State Freshwater Wetland permit or a Coastal Wetland Permit would also be required.

Is the 8-step process complete?

- No. **Activity not in compliance.**  
 Yes. Describe the outcome of the 8-step process.  
 **Activity in compliance** with EO 11990 and the Clean Water Act. Explain basis for the conclusion and describe the permitting process and mitigation measures. Attach supporting documentation. (Analysis complete).  
 **Activity not in compliance** with EO 11990 and the Clean Water Act. Explain basis for the conclusion. Attach supporting documentation (Analysis complete).

### 4. Coastal Zone Management Act

#### (Sections 307 (c), (d))

Not applicable. Compliance determined in Tier 1 Environmental Assessment.

### 5. Sole Source Aquifers

#### (40 CFR Part 149)

Not applicable. Compliance determined in Tier 1 Environmental Assessment.

<p><b>6. Endangered Species Act</b>  <b>(16 USC 1531 et seq., 50 CFR Part 402)</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>7. Wild &amp; Scenic Rivers Act</b>  <b>(Sections 7(b), (c))</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>8. Air Quality</b>  <b>(Clean Air Act, Sections 176 (c) &amp; (d), &amp; 40 C.F.R. Part 6, 51, &amp; 93)</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>9. Farmland Protection Policy Act</b>  <b>(7 C.F.R. Part 658)</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>10. Environmental Justice</b>  <b>(E.O. 12898)</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>11. Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances</b>  <b>(24 CFR Part 58.5(i)(2))</b></p> <p>Do any of the following apply to the subject property? (1) Property is within 3,000 feet of a Hazardous Waste facility that handles hazardous materials or toxic substances. (2) Property is within 3,000 feet of a landfill, hazardous waste or solid waste cleanup site(s). (3) Property is listed on a State or Federal Hazardous Waste sites data base and is presently under analysis or remediation. (4) During site reconnaissance of subject property and adjoining properties, inspector has observed recognized environmental conditions (RECs).</p> <p>REC explanation: Site conditions indicate that the subject property is contaminated or likely contaminated via the release of on-site or off-site hazardous substances or petroleum products.  During the site reconnaissance, the subject property and adjoining properties are visually inspected for RECs, such as:</p> <ul style="list-style-type: none"> <li>• UST vent or fill pipes</li> <li>• Corroded ASTs, drums or containers</li> <li>• Pits, ponds, lagoons, pools of hazardous substances or petroleum products</li> <li>• Mounds of rubble, garbage, or solid waste</li> <li>• Distressed vegetation</li> <li>• Surface staining</li> <li>• Faulty septic systems</li> <li>• Ground water monitoring or injection wells</li> <li>• Proximity to sensitive receptors (wetlands, floodplains, critical habitats, etc.)</li> <li>• Structure(s): present and former uses</li> </ul> <p>Note any obstacles to identification of RECs.</p> <p><b>Finding Categories</b></p> <p><input type="checkbox"/> No, RECs not present. Property is not within the 3,000 foot critical distance (CD) of hazardous facilities/toxic cleanup sites, or is within CD but no threat is found to exist. Explain findings and attach map showing absence of or non-threatening hazardous facilities/toxic cleanup sites within CD of subject property, and that no RECs have been observed during site reconnaissance. (Analysis complete)  Screening for toxics is completed by an in-house or consulting Qualified Environmental Professional (QEP) that meets the qualifications per the ASTM E 1527-05 ESA standard, which would uphold EPA's AAI rule. Secondly, Tier 2 screening for toxics shall include but is not limited to broad-researched conditions such as site observations, analysis of State and Federal HW and SW sites data bases, 3,000 feet Radius searches for landfills, HW and SW sites, on a site specific basis.</p> <p><input type="checkbox"/> Yes, RECs identified during site reconnaissance. Explain findings and attach CD map delineating the presence of hazardous facilities or toxic cleanup sites of concern that suggest that the subject property is contaminated or is likely contaminated. Without submittal of specific site assessment information (ASTM Phase 1 ESA, Phase 2 ESA, or vapor intrusion investigative study), site will be considered as not being in compliance with HUD's 24 CFR 58.5(i)(2) site contamination regulation and Phase I Threshold policy. If this information exists it must be submitted to NY DEP for review.  Assessment information must be supported by an ASTM E 1527-05 phase I ESA, phase 2 ESA, and/or an ASTM vapor encroachment screening (VES) report (for landowner liability protection). Findings must indicate that the site is not contaminated or that any REC findings or actual site contamination have been addressed and remediated appropriately.</p>
<p><b>12. Environmental Criteria and Standards: Noise Abatement and Control</b>  <b>(24 CFR Part 51, Subpart B)</b>  Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>

<p><b>13. Environmental Criteria and Standards: Siting of HUD-Assisted Projects near Hazardous Operations (24 CFR Part 51, Subpart C)</b> Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>14. Coastal Barrier Resource Act/Coastal Barrier Improvement Act (24 CFR 58.6(c))</b> Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>15. Airport Clear Zones and Accident Potential Zones (24 CFR Part 51, Subpart D)</b> Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>16. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)</b> Would the proposed activity include impounding, diverting, deepening or otherwise modifying the waters of any stream or other body of water? (Check one of the following):</p> <p><input type="checkbox"/> No. Explain the determination. Attach appropriate map. <b>Compliance met.</b> (Analysis complete) <b>In most cases, the explanation will be a lack of nearby surface water, implementation of best management practices, or a combination. A site inspection by qualified wetlands professional may be necessary for this determination.</b></p> <p><input type="checkbox"/> Yes. The activity would temporarily <b>(insert impound, divert, deepen or otherwise modify)</b> the waters of a stream or body of water, would require coordination with USFWS, the NMFS, USACE, and NYDEC, and the application of mitigation measures to protect and restore the resource. Explain the determination, the applicable mitigation measures, and attach appropriate map. <b>Compliance met.</b> (Analysis complete) <b>Site preparation and construction activities, including temporary operation of equipment, may modify and affect a surface water resource. Work in federally protected waters and/or their adjacent wetland areas constitute a direct impact to the fish and wildlife habitat. A site inspection by qualified wetlands professional may be necessary to make this determination, recommend mitigation measures, and complete any required permits to achieve compliance. A combination of best management practices and mitigation measures should prevent impact to the protected resource.</b></p> <p><input type="checkbox"/> Yes. The activity would permanently <b>(insert impound, divert, deepen or otherwise modify)</b> the waters of a stream or body of water and adversely affect fish and wildlife habitat. Explain basis for conclusion. <b>Activity is not in compliance.</b> (Analysis complete) <b>If the fish and wildlife habitat would be filled, paved, or built upon, the effect would be permanent. A site inspection by a trained wetland professional is required to confirm habitat will be adversely affected.</b></p>
<p><b>17. Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)</b> Not applicable. Compliance determined in Tier 1 Environmental Assessment.</p>
<p><b>18. Agriculture and Markets Law (Title 1 NYCRR Section 139.2)</b> Is the project within a quarantine zone?</p> <p><input type="checkbox"/> No. Attach documentation and map (Analysis complete)</p> <p><input type="checkbox"/> Yes. (If yard waste, storm clean-up, and normal tree maintenance activities involve twigs and/or branches of 1/2" or more in diameter of ALB host species, proper handling and disposal is required. <b>Attach state and/or federal phytosanitary certificates to achieve compliance.</b> Quarantine zones are established by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service at <a href="http://www.nycgovparks.org/trees/beetle-alert.com">www.nycgovparks.org/trees/beetle-alert.com</a>.</p>

## 7.2 Tier II Site-Specific Photographic Documentation

Client: New York City Public Housing Authority  
Facility #: \_\_\_\_\_  
Date: \_\_\_/\_\_\_/2013  
Location: \_\_\_\_\_, \_\_\_\_\_, Borough (or County), New York City, New York  
Description: Lot \_\_\_\_\_ existing structure  
Photographer: \_\_\_\_\_

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Memo To: NYCHA Public Housing Environmental Review Record

Applicant ID: #\_\_\_\_\_

Location: Latitude/Longitude: \_\_\_\_\_/\_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_, New York City.

A visual assessment was conducted by \_\_\_\_\_ of the above property on \_\_\_\_\_, 2013/4. Visual observation indicated said property was free of any hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. The project will expose neither people nor buildings to hazardous facilities, no above-ground explosive or flammable fuels or chemical containers were observed on or near site. In conclusion the housing rehabilitation or reconstruction will meet requirements of 24 CFR 58.5(i)(2)(i).

## **8.0 COMBINED FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (FONSI/NOIRROF)**

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**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET  
NEW YORK CITY HOUSING AUTHORITY**

**COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

### REQUEST FOR RELEASE OF FUNDS

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The NYCHA Public Housing program includes:

- Purchase, elevation, and installation of energy efficient, standby generators, electrical and mechanical systems or alternate heating generating systems, as appropriate, for NYCHA housing facilities situated in the 100-year floodplain damaged by Hurricane Sandy, and which are considered vulnerable to future flooding; and
- Strengthening emergency response and preparedness for future floods with the rehabilitation of City's community centers in the 100-year floodplain, many of which were damaged by Hurricane Sandy, and
- Resilience measures, such as relocation and elevation of other critical building systems (i.e. electrical, mechanical) at NYCHA's public housing facilities in the 100-year floodplain to protect these investments from future storm damages; and
- Establishment of a new Emergency Operations Center with a standard Incident Command Structure.

Activities may involve installation of piers to support elevated equipment packages, but is not expected to expand the impervious ground surface at NYCHA housing sites.

### 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. All comments received by July 10, 2013 will be considered by NYCOMB prior to the submission of the request for release of funds to HUD. Comments should reference which Notice they are addressing.

#### RELEASE OF FUNDS

NYCOMB certifies to HUD that Mark Page, in his capacity as the Certifying Officer of the CDBG-DR Program 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 the City to use the CDBG-DR funds.

#### OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the NYCOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the NYCOMB; (b) NYCOMB 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: Scott Davis, HUD, Disaster Recovery Office, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, New York 10278-0068. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget, Mark Page, Director  
*Date: June 24, 2013*

**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

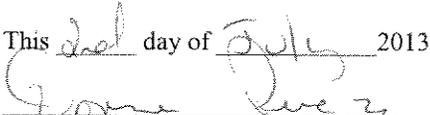
**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **the New York Daily News** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **28<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 28<sup>th</sup> day of July 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

Legal Notices

Legal Notices

Legal Notices

Legal Notices

CITY OF NEW YORK OFFICE OF MANAGEMENT AND BUDGET NEW YORK CITY HOUSING AUTHORITY

COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM

COMBINED FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

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RELEASE OF FUNDS

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OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the NYCOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases. (a) the certification was not executed by the Certifying Officer of the NYCOMB; (b) NYCOMB 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: Tennifer S. Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, Rm 7272, Washington, D.C. 20410 or via e-mail to CDBGDR-Enviro@omb.nyc.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget, Mark Page, Director Date: June 28, 2013

LAWRENCE M. HIRSCH, D.D.S., PLLC Articles of Org. filed NY Sec. of State (SSNY) 5813. Office: Queens Co. SSNY design agent of LLC upon whom process may be served. SSNY shall mail copy of process to 15-04 53rd St., Rego Park, NY 11374. Purpose: To practice the profession of Dentistry.

Manha LLC, Arts. of Org. filed with SSNY on 06/07/13. Off. Loc.: Queens Co. SSNY design agent upon whom process may be served. SSNY shall mail process to: The LLC, 9705 82nd St., Ozone Park, NY 11434. The reg. agent is Lima Ahmed Chaudhury of the same address. General Purposes.

Notice of Formation of Tap Vision LLC, Arts. of Org. filed with NY Secy of State (SSNY) on 5/27/13. Office: Queens. SSNY is designated as agent of LLC upon whom process against it may be served and shall mail process to 15-38 21st St. Bayside, NY 11360 Purpose: any lawful activity.

NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY. NAME: ALL PRO NYC LLC. Articles of Organization were filed with the Secretary of State of New York (SSNY) on 04/25/13. Office location: Queens County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, c/o HU Edwards Associates, 1705 Church Avenue, Suite 204, Brooklyn, New York 11226. Purpose: For any lawful purpose.

NOTICE OF FORMATION OF AMERICAN RONG CHANG TRAVEL, LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 05/07/2013. Office location: Queens County. SSNY has been designated as agent upon whom process may be served and shall mail copy of process against LLC to: 28-01 MAIN ST., STE 203, FLUSHING, NY 11354. Principal business address: 33-37 Parsons Blvd., 3rd Floor, Flushing, NY 11354. Purpose: any lawful act.

NOTICE OF FORMATION OF SHOW WIN REALTY LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 3/20/2013. Office location: Queens Co. Principal office of LLC 4565 Utopia Pkwy, Flushing, NY 11358. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to 4565 Utopia Pkwy, Flushing, NY 11358 at the time. Office of the LLC. Purpose: Any Lawful activity.

Notice of formation of CREATION IS POWER LLC, Articles of Organization filed with Secretary of State of New York (SSNY) on April 9, 2013. County: Queens. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to Creation is Power LLC, 116-16 167 St., Jamaica, NY 11434. Purpose: to engage in any and all business for which LLC's may be formed under the New York LLC Law.

Notice of Qualification of KDP Realty, LLC. Authority filed with NY Dept. of State on 5/24/13. Office location: Queens County. Principal bus. addr.: Kaufman Astoria Studios, 34-12 34th St., Astoria, NY 11106. LLC formed in DE on 6/29/04. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Thomas D. Kearns, Olshan Fremele Watsoy LLP, 65 E. 58th St., NY, NY 10022. DE agent of LLC: National Corporate Research, Ltd., 615 S. DuPont Hwy., Dover, DE 19901. Cert. of Formation filed with DE Sec. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful activity.

Sing Yip LLC, Arts. of Org. filed with SSNY on 06/14/13. Off. Loc.: Queens Co. SSNY design, as agent upon whom process may be served. SSNY shall mail process to: The LLC, 73-20 194th St., Fresh Meadows, NY 11366. General Purposes.

NOTICE OF FORMATION OF 9722 Corona Ave., LLC, Arts. of Org. filed with Secy of State of NY (SSNY) on 5/21/13. Office location: Queens County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to principal business address: 9029 52nd Ave., 1 FL, Elmhurst, NY 11373. Purpose: any lawful act.

BY VIRTUE OF DEFAULT in a security agreement executed on August 5, 2005 by MERCEDES BANKS and in accordance with its rights as holder of the security, FEDERAL HOME LOAN MORTGAGE CORPORATION by Victor Marino, Auctioneer, DCA (License No.: 1005440) and/or Donald Leung, Auctioneer, DCA (License No.: 1392372), will conduct a public sale of the security consisting of 209 shares of 710-220-220 OWNERS CORP. and all right title and interest in and to a proprietary lease to APARTMENT NO. 49 in a building known as and by the street address, 710 PELHAM ROAD, NEW ROCHELLE, NEW YORK together with fixtures and articles of personal property now or hereafter affixed to or used in connection with Apartment No. 49 on July 8, 2013 at 9:20 a.m. at the lobby of the Westchester County Courthouse, 111 Dr. Martin Luther King Boulevard, White Plains, New York in satisfaction of an indebtedness. The secured party reserves the right to bid.

McCabe, McConway & Conway, P.C. ATTORNEYS AT LAW SECURED CREDITOR, Federal Home Loan Mortgage Corporation 145 Hugenott Street - Suite 210 New Rochelle, New York 10801 (914) 636-8900 D & V Legal Advertising, LLC 718-875-9677

Kars 4 Kids 1-877 Kars 4 Kids TAX DEDUCTION FREE PICKUP VACATION VOUCHER

DONATE YOUR CAR To Benefit the Sick Children of The Songs of Love Foundation \$500-\$5000 or More Tax-Deduction! Receive a FREE Pod Shuffle! Free Vehicle Pickup ANYWHERE We Accept All Vehicles Running or Not Also Accept Trucks, RV's, SUV's & Boats

Legal Notices

LEGAL NOTICE OF POSTPONEMENT OF SALE NOTICE OF SALE BY VIRTUE OF DEFAULT in a security agreement filed on October 26, 2012 by SAMUEL WASSERMAN in accordance with its rights as holder of the security, BANK OF AMERICA, NATIONAL ASSOCIATION, its successors and/or assigns; by Victor Marino, Auctioneer, DCA #1005440 and/or Donald Leung, Auctioneer, DCA #1392372 will conduct a public sale of the security consisting of 233 shares of stock issued by 223 EAST 50 CORP. AKA 223 EAST CDBRG PROGRAM, and all right title and interest in and to a proprietary lease in a building known as by the street address 223 EAST 50TH STREET, UNIT 2C, NEW YORK, NY 10022, together with fixtures and articles of personal property now or hereafter affixed to or used in connection with said apartment on July 10, 2013 at 12:30 p.m. at the Rotunda of the New York County Supreme Court Building, 40 Centre Street, New York, N.Y.; in satisfaction of an indebtedness in the original principal amount of \$ 378,000.00, on which there remains an unpaid principal balance of \$ 363,377.45 plus interest from February 1, 2010, subject to the common deposit. The secured party reserves the right to bid on the security interest, to set the minimum sale amount and to reject any and all bids. The secured party makes no warranties or representations. Each bidder must make his/her own inquiry regarding the apartment and any liens or debts in connection therewith. The sale is subject to the Terms of Sale, including the common deposit by cash or certified funds at the inclusion; balance due upon closing within thirty (30) days; the payment of all taxes for the cooperative corporation; and any existing tenancy. The apartment will be sold AS IS, possession is to be obtained by purchaser(s). Dated: June 14, 2013 FEIN SHAR & CRANE, LLP ATTORNEYS FOR SECURED CREDITOR BANK OF AMERICA, NATIONAL ASSOCIATION 28 East Main Street, Suite 1800 Rochester, NY 14614 585-232-7400 The above mentioned sale was originally scheduled for June 12, 2013 at 12:15 p.m. The new sale date is July 10, 2013 at 12:30 p.m. and of the same place. D & V Legal Advertising, LLC 718-875-9677

Legal Notices

Notice of Formation of Flushing Family Pharmacy LLC, Arts. of Org. filed with NY Secy of State (SSNY) on 3/26/13. Office: Queens. SSNY is designated as agent of LLC upon whom process against it may be served and shall mail process to 33-04 171 St. Flushing, NY 11358. Purpose: any lawful activity.

Social Announcements

VS.HORE, LLC, a domestic LLC, Arts. of Org. filed with the SSNY on 4/25/13. Office location: Queens County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 146-04 61 Rd., Flushing, NY 11367. General Purposes.

Autos For Sale

LINCOLN TOWNCAR 2007 Black on Black. Excl Cond, Orig. Owner. Great for Luxury. \$9,990 neg. Call Owner 917-953-3977

Trucks

2011 GMC Sierra 2500 HD Denali, AWD, Duramax Diesel, automatic, lifted, 28800 miles, black, \$18000, sobe@netcast.com 516-328-2310

Legal Notices

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Social Announcements

M. Cortez or anyone knowing the whereabouts of Mr. Cortez, last known address Bronx, NY, contact Zaida Celis @ 718-985-9934

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Classified Advertising Continued on Page 86

GET TRAINED... Image of a person in a graduation cap and gown.

**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

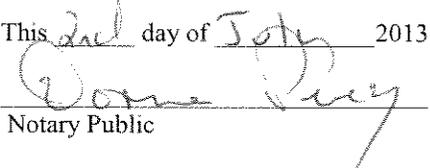
**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **the New York Post** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **28<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 2nd day of July 2013

  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

NOTICES

LEGAL NOTICES

CITY OF NEW YORK OFFICE OF MANAGEMENT AND BUDGET NEW YORK CITY HOUSING AUTHORITY

COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM

COMBINED FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

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City of New York, Office of Management and Budget, Mark Page, Director
Date: June 28, 2013

FORECLOSURE NOTICES

FAMILY COURT OF THE STATE OF NEW YORK COUNTY OF RICHMOND in the Matter of the Guardianship of the Person and Custody of NEVAEH BEYONCE ALLEN A Minor, AMENDED SUMMONS Docket No. B-4476/12. IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK TO: BYIDA CHERVIL, Address unknown COMMISSIONER OF SOCIAL SERVICES OF THE CITY OF NEW YORK 150 Williams Street, 18th Floor, New York, New York 10038 A Petition having been filed in this Court alleging that the above-named child in the care and custody of THE COMMISSIONER OF SOCIAL SERVICES OF THE CITY OF NEW YORK and under the supervision and control of Seaman's Society for Children and Families, petitioner, is a permanently neglected and abandoned child as defined by Section 384-b of the Social Services Law, YOU ARE HEREBY SUMMONED to appear before this Court at Unified Term Part 42, 100 Richmond Terrace, Staten Island, NY 10310, on July 26, 2013, at 9:00 o'clock in the forenoon of said day, or as soon thereafter as counsel can be heard, to show cause why this Court should not enter an order committing guardianship of the person and custody of said child to petitioner for the purpose of adoption. TAKE NOTICE, that your failure to appear at the time and place aforesaid shall constitute a denial of your interest in said child and may result in commitment of guardianship and custody of said child to petitioner, in which event all your parental rights in said child may be terminated and said child may be ADOPTED WITHOUT YOUR CONSENT OR FURTHER NOTICE TO YOU. TAKE FURTHER NOTICE, that you have the right to be represented by an attorney and to have one adapted by the Court without cost to you if you are financially unable to obtain counsel. Dated: BY ORDER OF THE COURT Clerk of the Court JOHN R. EYERMAN, P.C. Attorney for Petitioner 225 Broadway, Suite 1800 New York, New York 10007 Tel. No. (212) 921-0069

LEGAL NOTICES

SHERIFF'S SALE

BY VIRTUE OF AN EXECUTION AND ORDER ISSUED OUT OF THE SUPREME COURT, KINGS COUNTY, in favor of JESUS ACOSTA, ET AL, and against JB RESIDENTIAL, LLC, to me directed and delivered, I WILL SELL AT PUBLIC AUCTION, by Dennis Alestra, DCA # 0840217, as the law directs, FOR CASH ONLY, on the 14th day of August, 2013, at 1:00 o'clock in the afternoon, at the New York County Sheriff's Office, 30-10 Street Ozone Park, New York, NY 11417, in the county of Queens, all the right, title and interest which JB Residential, LLC, the judgment debtor, had on the 1st day of August, 2012, or at anytime thereafter, of, in and to the following properties: 104-11 101st Street Ozone Park, New York, NY 11417 Borough: Queens Block: 09522 Lot:0045. Beginning at a point on the Easterly side of Lawn Avenue, distant One Hundred forty-six (146) and eight tenths (8/10) of a foot Southerly from the corner formed by the intersection of the Southerly from the corner formed by the intersection of the Southerly from the intersection of the Southerly side of Liberty Avenue with the Easterly side of Lawn Avenue, which point of beginning is also the division line between lots numbered 30 and 31. Running Thence, Easterly along said lot number 31, One Hundred (100) feet; Thence Southerly, parallel with Lawn Avenue, Fifty (50) feet to Lot No. 28; Thence Westerly along said lot No. 28 One Hundred (100) feet to the Easterly side of Lawn Avenue; Thence Northerly, along the Easterly side of Lawn Avenue, Fifty (50) feet to the point of place of beginning. Together with all the right, title and interest of the party of the first part, of, in and to the land lying in Lawn Avenue in front of and adjacent to the premises above described to the centre line thereof, said premises being known as 104-11 101st Street, Ozone Park, NY, being the same premises conveyed from Mary Deluca to Everett Menza by deed dated April 30th, 1946 and recorded in the Queens City Register on May 8, 1946 in Book 5186 of Conveyances at page 220. EDGAR A. DOMENECH SHERIFF, CITY OF NEW YORK Sergeant Michael Birmingham # 206 (718) 610-0570 Case # 13002530

LEGAL NOTICES

New York City Department of Transportation Notice of Public Hearing

The New York City Department of Transportation will hold a public hearing on Wednesday July 10, 2013 at 2:00 P.M. at 55 Water St., 9th FL, Room 945 on the following petitions for revocable consent.

- #1 134 West 4th Street LLC to construct, maintain and use a stoop, steps and a fenced-in area on the south sidewalk of W 4th St., west of MacDougal St., in the Borough of Manhattan.
#2 680 Residential Owner LLC to construct, maintain and use a snowmelt system in the north sidewalk of E 61st St., west of Madison Ave., in the Borough of Manhattan.
#3 Buckeye Pipe Line Company, L.P. to continue to maintain and use a pipeline under certain streets, in the Boroughs of Staten Island, Brooklyn and Queens.
#4 New York University to construct, maintain and use a conduit under, across and along First Ave. at intersection of E 25th St., in the Borough of Manhattan.
#5 The Mount Sinai Hospital to construct, maintain and use a ramp and steps on the north sidewalk of E 98th St., east of Fifth Ave., in the Borough of Manhattan.

Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water St., 9th FL SW New York, NY 10041, or by calling (212) 839-6550.

LLC Formation Notices: All NYS Counties

SUPREME COURT, QUEENS COUNTY, NYCL 2010-A TRUST AND THE BANK OF NEW YORK MELLON, AS COLLATERAL AGENT AND CUSTODIAN FOR NYCL 2010-A TRUST, Phk, vs. FRANK CASTELLANO, et al. Defs. Index #9769/2011. Pursuant to judgment of foreclosure and sale dated Nov. 2, 2011, I will sell at public auction in Courtroom #25 on Aug. 2nd, 2013 at 10:00 a.m. at the Queens County General Courthouse, 88-11 Sutphin Blvd., Jamaica, NY prem. 1/4 Block 4626, Lot 7. Sold subject to terms and conditions of filed judgment and terms of sale and the right of the United States of America to redeem within 120 days from the date of sale as provided by law. SUSAN L. BORRO, Referee, LEVY & LEVY, Attys. for PHK, 12 Tulip Dr., Great Neck, NY, #82713

Notice of Formation of Martin B Torre Architects-Planning PLLC, Arts. of Org. filed with NY Secy Of State (SSNY) on 05/22/2013. Office loc: New York County, SSNY is designating a person to process the PLLC may be served. SSNY shall mail copy of any process to US Corp. Agents, Inc. 7014 13th Ave., Suite 202, Brooklyn, NY 11228. Purpose: Any/Archi/Archty.

TURN TO PAGE 51 TO SEE MORE CLASSIFIEDS

MOVEMENTS

Dear St Jude Thaddeus, the Church honors you universally as the Patron Saint of hopeless cases and of things despaird of. Dear St Jude, you were the cousin and friend of our Lord Jesus Christ and one of his twelve apostles. Our Lord has granted you the special privilege of being able to intercede with him, on our behalf, in our most despaird of situations. Dear St Jude Thaddeus, I beg you through the most Sacred Heart of Jesus, please intercede with Our Lord Jesus Christ on my behalf, and ask him to come my aid in all my most despaird of situations, especially (state favor). I promise to be ever mindful of this great favor and promise to make you, my special patron. Say 3 Our Fathers, 3 Hail Mary's & 3 Glory be's - repeat daily for 9 days & promise to publish this novena

REQUEST FOR SPECIALTY CONTRACTOR

The Stephen Wise Free Synagogue at 30 W 68th Street is seeking a contractor to repair several small leaded glass windows and supply and install ballistic glazing at those windows. The building is within the Upper West Side/Central Park Historic District. Funds for this project are provided by the Department of Homeland Security, Non-Profit Security Grant Program, and are subject to the requirements of the NYC Landmarks Preservation Commission and the National Historic Preservation Act. Bid documents are available as of 26 June 2013 by contacting Koese & Lynch Architecture and Engineering LLP, attn: Michael Lynch, 324 Pearl St., 1E, NY, NY 10038. A confidentiality statement will be required prior to the release of bid documents. Proposals must be received by Mr. Lynch at the above address no later than 5 p.m. on Thursday, 11 July 2013. Phone (212) 608-0629 Fax (212) 608-0628

REQUEST FOR PROPOSALS

NYU Langone Medical Center seeks a moving firm to relocate laboratory and office equipment displaced due to Super Storm Sandy. The release date of the RFP is June 28, 2013 and the due date for submittal of qualifications is July 12, 2013. Small, minority, and women-owned businesses are encouraged to participate in this solicitation. Proposers may download a copy of the RFQ at http://redf.med.nyu.edu/redf-finance-administrators/procurement-opportunities.

Need a tax deduction?

Place an ad to donate your car in Post Classified Auction Wanted Every day only in the NY POST Classifieds Call 212-930-8100

LEGAL NOTICES

NOTICE OF SEIZURE TREASURY DEPARTMENT INTERNAL REVENUE SERVICE CRIMINAL INVESTIGATION

On May 29, 2013, pursuant to a seizure warrant, \$265,549.82 in U.S. Currency was seized for administrative forfeiture from TD Bank, NA located in Mt. Laurel, NJ, account # ending in 90003730. This currency was seized for violations of Title 31 U.S.C. Section 5317. Pursuant to Title 18 U.S.C. Section 961, this property is subject to forfeiture. Any person claiming an ownership interest in this property must file a claim on or before 30 days from the date of the last publication, which is June 28, 2013, otherwise, the property will be forfeited and disposed of according to law on July 30, 2013. The claim should be mailed to the Internal Revenue Service-Criminal Investigation, Attn: Special Agent in Charge, 290 Broadway, Fourth Floor, New York, NY 10007. For further information, please call Asset Forfeiture Coordinator at telephone number (212) 436-1651 and refer to ATR/RAK #13130126-01.

Find your next job on Jobs.classifieds.nypost.com/Careers

To Place a Death Notice Call David Mancuso 212-930-5847 NEW YORK POST

Place your notice in NYP classifieds. Call Byron at 212-930-8139 NEW YORK POST Find your new HOUSE on nypost.com/realestate Contact Natasha Rivera at 212-930-5748

**AFFIDAVIT OF PUBLICATION**

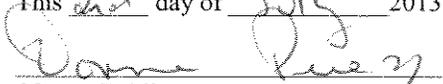
**STATE OF NEW YORK**

**COUNTY OF NEW YORK**

Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **Newsday** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for the **New York City Housing Preservation and Development** on the **28<sup>th</sup> day of June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 2nd day of July 2013  
  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

LEGAL NOTICES

DEED OF SALE OF CO-OPERATIVE APARTMENT SECT...

NOTICE OF SALE SUPREME COURT QUEEN'S COUNTY...

NOTICE OF FORMATION OF NYC VISTA, LLC...

NOTICE OF FORMATION OF ASTUTE PREPARATORY, LLC...

PUBLIC NOTICE AS OF JUNE 14, 2013...

CITY OF NEW YORK OFFICE OF MANAGEMENT AND BUDGET COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM

COMBINED FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

REQUEST FOR RELEASE OF FUNDS

The New York City Office of Management and Budget (NYOMB) is the Responsible Entity for environmental reviews conducted under the Community Development Block Grant-Disaster Recovery Program (CDBG-DR).

- Purchase, elevation, and installation of energy efficient, standby generators, electrical and mechanical systems or alternate heating generating systems, as appropriate, for NYCHA housing facilities situated in the 100-year floodplain damaged by Hurricane Sandy, and which are considered vulnerable to future flooding; and

Activities may involve installation of piers to support elevated equipment packages, but is not expected to expand the impervious ground surface at NYCHA housing sites.

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.

PUBLIC COMMENTS

Any individual, group or agency disagreeing with this determination or wishing to comment on the project may submit written comments to NYOMB. All comments received by July 13, 2013 will be considered by NYOMB.

RELEASE OF FUNDS

NYOMB continues to HUD that Mark Page, in his capacity as the Certifying Officer of the CDBG-DR Program, 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.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the NYOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases:

- (a) the certification was not executed by the Certifying Officer of the NYOMB; (b) NYOMB 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 58 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

City of New York, Office of Management and Budget, Mark Page, Director Date: June 28, 2013

**AFFIDAVIT OF PUBLICATION**

**STATE OF NEW YORK**

**COUNTY OF NEW YORK**

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Notary Public

Donna Perez  
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No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

**LEGAL NOTICES**

Notice of Formation of a Domestic Limited Liability Company, Name of LLC: Affordable New York LLC. Date of filing of Articles of Organization with the NY Dept of State. Office of the LLC: 74-06 64th Lane Ridgewood, NY 11385. The NY Secretary of State has been designated as the agent upon whom process may be served. NYSS may mail a copy of any process to the LLC at 74-06 64th Lane Ridgewood, NY 11385. Purpose of LLC: Develop sustainable affordable housing. #2013-115, 6x 5/17-6/21/13

Notice of Formation of Smart Cookie Desserts LLC. Arts of Org. filed with NY Secy of State (SSNY) on 4/3/13. Office: Queens. SSNY is designated as agent of LLC upon whom process against it may be served and shall mail process to: C/O Judith Sennesh 150-38 Union Tpke #5H Flushing, NY 11367. Purpose: any lawful activity. #2013-116, 6x 5/24-6/28/13

AARON & EMMA LLC Articles of Org. filed NY Sec. of State (SSNY) 2/20/13. Office in Queens Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to Yanbing Xia 8715 89th St. FL 1 Queens, NY 11421. Purpose: Any lawful activity. #2013-118, 6x 5/24-6/28/13

SOLURUM GROUP LLC Articles of Org. filed NY Sec. of State (SSNY) 2/20/13. Office in Queens Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to C/O United States Corporation Agents, Inc. 7014 13th Ave Ste. 202 Brooklyn, NY 11228. Purpose: Any lawful activity. Registered Agent: United States Corporation Agents, Inc. 7014 13th Ave Ste. 202 Brooklyn, NY 11228. #2013-119, 6x 5/24-6/28/13

Wan Xing, LLC Arts of Org filed with NY Sec of State (SSNY) on 5/8/13. Office: Queens County. SSNY design-

**LEGAL NOTICES**

nated as agent of LLC upon whom process may be served. SSNY shall mail process to: 171 Mott St, NY, NY 10013. General Purposes. #2013-122, 6x 5/31-7/5/13

NOTICE OF FORMATION OF 1877 Harman Street LLC. Articles of Organization filed with Sec. of State of NY (SSNY) on 4/3/2013. Office location: Queens County. SSNY has been designated for service of process. SSNY shall mail a copy of any process served against the LLC to the LLC at 73-22 Juniper Valley Road, Middle Village, NY 11379. Purpose: any lawful purpose. #2013-123, 6x 5/31-7/5/13

KAPPEL PROPERTIES I LLC, a foreign LLC, filed with the SSNY on 5/7/13. Office location: Queens County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, c/o Ana R. and Hermann Kappel, 46-38 66th St., Woodside, NY 11377. General Purposes. #2013-124, 6x 6/7-7/12/13

Notice of formation of L.D.I. LLC, a limited liability company (LLC). Articles of Organization filed with Secretary of State of N.Y. (SSNY) on 04/25/2012. Office location: Queens County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: 196-17 53rd Avenue, Fresh Meadows, NY 11365. Purpose: Any lawful activity. #2013-125, 6x 6/7-7/12/13

30-80 DEVELOPMENT, LLC, a domestic LLC, Arts. of Org. filed with the SSNY on 3/30/05. Office location: Queens County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: c/o Andrew S Hirsch Esq, 855 Ave of the Americas, Ste 200, NY, NY 10001. General Purposes. #2013-126, 6x 6/7-7/12/13

**LEGAL NOTICES**

NOTICE OF SALE SUPREME COURT, QUEENS COUNTY. ASTORIA FEDERAL MORTGAGE CORP. vs. ERNEST E. BRAUN, et al., defts. Index No. 722/10. Pursuant to a Judgment of Foreclosure and Sale entered December 28, 2012, I will sell at public auction to the highest bidder in Court Room 25 of the Queens County Supreme Court House, 88-11 Sutphin Boulevard, Jamaica, NY on July 12, 2013 at 10:00 in the forenoon, the premises described as follows: BEGINNING at a point on the easterly side of Waterview Street, distant 230.50 feet southerly from the corner formed by the intersection of the southerly side of Cold Spring Road, formerly Cornell Avenue, with the easterly side of Waterview Street, being a plot 75 ft x 56 ft. Said premises being more accurately described in the Judgment of Foreclosure and Sale. Approx. Judgment amt.: \$84,774.06 plus interest. Subject to terms and conditions of filed Judgment. Sold subject to first mortgage held by Chase Home Finance, LLC. Premises k/a 1114 Waterview Street, Far Rockaway, NY. Dated: May 28, 2013. JAMES D. ROBERTSON, Referee. THOMAS & GRAHAM, LLP, Plaintiff's attorneys. - #8274-1. #2013-127, 4x 6/14-7/5/13

SUPPLEMENTAL SUMMONS Index No. 18261/2012 Date of Filing: May 7, 2013 SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF QUEENS YUEHUA WANG, Plaintiff, - against- JOHN POH, Defendant, - TO THE ABOVE-NAMED DEFENDANT: YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a Notice of Appearance on the Plaintiff's attorney(s) Kenneth K. Ho, Esq, with an office located at 39-01 Main Street Ste 611 Flushing, NY 11354 within twenty (20) days after

**LEGAL NOTICES**

the service of this summons exclusive of the day of service, where service is made by delivery upon you personally within the State, or within thirty (30) days after the completion of service where service is made in any other manner, and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint. YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF AND FILING THE ANSWER WITH THE COURT. TO THE ABOVE-NAMED DEFENDANT: The foregoing summons is served upon you by publication pursuant to an Order of the Honorable Anna Cudley of the Supreme Court of the State of New York, entered on May 7, 2013, and filed with supporting papers in the Office of the Clerk of the County of Queens, State of New York. #2013-128, 3x 6/7-6/21/13

Notice of Formation of EL TUQUE FILMS, LLC. Arts. of Org. filed with Secy. of State of NY SSNY on 5/02/2013. Office Location: Queens County. Princ. office of LLC: 78-44 74th St., Apt. 2F, Glendale, NY 11385 SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o EL TUQUE FILMS, LLC. at the princ. office of the LLC. Purpose: Any lawful activity. #2013-129, 6x 6/7-7/12/13

Notice of formation of WE LOVE THE KIDS 2 LLC, a domestic LLC. Articles of Organization filed with the SSNY on 3/2/12. Office located in Queens County. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC to: Janiece Sprull, 110-45 159th Street., Jamaica, NY 11434. Purpose: any lawful purpose. #2013-131, 6x 6/14-7/19/13

**LEGAL NOTICES**

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF QUEENS SUPPLEMENTAL SUMMONS Tax Lien Foreclosure Block: 15535; Lot: 11 af/ka 13-25 Augustina Avenue Ind. No.19750/2012 Date of Filing: Plaintiff designates Queens County as the place of trial. Venue is based upon County in which premises are situated. NYCTL 2011-A TRUST and THE BANK OF NEW YORK MELLON as Collateral Agent and Custodian, Plaintiffs, -against- PEDRO ORTIZ if living, and if he/she be dead, his/her representative heirs at law, next of kin, distributees, executors, administrators, trustees, devisees, legatees, assignees, lienors, creditors, and successors in interest, and generally all persons having or claiming under, by or through said defendants who may be deceased, by purchase, inheritance, lien or otherwise, any right, title or interest in and to the premises described in the amended complaint herein, GREENPOINT MORTGAGE FUNDING INC., CAPITAL ONE BANK, MELVILLE ACQUISITIONS GROUP LLC, ADVERLIGHT COLLECTIONS INC., SAULIO TAVAREZ, CRIMINAL COURT OF THE CITY OF NEW YORK, CITY OF NEW YORK PARKING VIOLATIONS BUREAU, CITY OF NEW YORK ENVIRONMENTAL CONTROL BOARD, NEW YORK CITY TRANSIT AUTHORITY TRANSIT ADJUDICATION BUREAU, NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE, NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES, UNITED STATES OF AMERICA INTERNAL REVENUE SERVICE, "John Doe No. 1" through "John Doe No. 100" inclusive, the names of the last 100 defendants being unknown to plaintiff, it being intended to designate fee owners, tenants or occupants of the tax lien premises and/or persons or parties having or claiming an interest in or a lien

Legals continued on page 53

**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET  
NEW YORK CITY HOUSING AUTHORITY**

**COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

**REQUEST FOR RELEASE OF FUNDS**

The New York City Office of Management and Budget (NYCOMB) is the Responsible Entity for environmental reviews conducted under the CDBG-DR Program. On or about July 11, 2013 the city will submit to HUD its request for the release of CDBG-DR funds to undertake the NYC Houses Rehabilitation and Reconstruction program, also known as NYC Build it Back, for the purposes of addressing unmet housing needs associated with damages from Hurricane Sandy in the City's five boroughs for the amount of \$306,000,000. The NYC Houses Rehabilitation and Reconstruction program consists of three housing recovery paths to eligible project beneficiaries by providing different assistance types for owners of single-family residential homes (one to four units) that fall into one of the following three categories of damage to housing:

- Reconstruction: Residential property that has been destroyed or is not practical to rehabilitate;
- Major Rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the NYC Houses program; and
- Moderate Rehabilitation: Residential property that was damaged by Hurricane Sandy, but is not destroyed and does not have substantial damage as determined by the NYC Houses program.

Rehabilitation activities may include: repair or replacement of structure elements such as roof, windows and doors, sheetrock, plumbing and electrical fixtures, mechanicals, upgrades to meet code requirements, elevation, energy efficiency, storm mitigation or flood proofing and other resilience measures. Reconstruction activities will include demolition of the original storm-damaged unit, site preparation, elevation as required, and reconstruction of a single family dwelling (up to 4 units to owner-occupied rental properties).

**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. All comments received by July 13, 2013 will be considered by NYCOMB prior the submission of the request for release of funds to HUD. Comments should reference which Notice they are addressing.

**RELEASE OF FUNDS**

NYCOMB certifies to HUD that Mark Page, in his capacity as the Certifying Officer of the CDBG-DR Program 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 the City to use CDBG-DR program funds.

**OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the NYCOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the NYCOMB; (b) NYCOMB 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: Tennifer S. Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, Rm 7272, Washington, D.C. 20410 or via e-mail to CDBGDR-Enviro@omb.nyc.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget, Mark Page, Director  
Date: June 28, 2013

**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET  
NEW YORK CITY HOUSING AUTHORITY**

**COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

**REQUEST FOR RELEASE OF FUNDS**

The New York City Office of Management and Budget (NYCOMB) is the Responsible Entity for environmental reviews conducted under the Community Development Block Grant-Disaster Recovery Program (CDBG-DR). On or about July 11, 2013, the City will submit to HUD its request for the release of CDBG-DR funds to undertake the NYCHA Public Housing Rehabilitation and Resilience Program (NYCHA Public Housing) for the purposes of addressing unmet housing needs associated with damages from Hurricane Sandy in the City's five boroughs for the amount of \$108,000,000. The NYCHA Public Housing program includes:

- Purchase, elevation, and installation of energy efficient, standby generators, electrical and mechanical systems or alternate heating generating systems as appropriate, for NYCHA housing facilities situated in the 100-year floodplain damaged by Hurricane Sandy, and which are considered vulnerable to future flooding; and
- Strengthening emergency response and preparedness for future floods with the rehabilitation of City's community centers in the 100-year floodplain, many of which were damaged by Hurricane Sandy, and
- Resilience measures, such as relocation and elevation of other critical building systems (i.e. electrical, mechanical) at NYCHA's public housing facilities in the 100-year floodplain to protect these investments from future storm damages; and
- Establishment of a new Emergency Operations Center with a standard Incident Command Structure.

Activities may involve installation of piers to support elevated equipment packages, but is not expected to expand the impervious ground surface at NYCHA housing sites.

**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. All comments received by July 13, 2013 will be considered by NYCOMB prior to the submission of the request for release of funds to HUD. Comments should reference which Notice they are addressing.

**RELEASE OF FUNDS**

NYCOMB certifies to HUD that Mark Page, in his capacity as the Certifying Officer of the CDBG-DR Program 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 the City to use the CDBG-DR funds.

**OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the NYCOMB certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the NYCOMB; (b) NYCOMB 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: Tennifer S. Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, Rm 7272, Washington, D.C. 20410 or via e-mail to CDBGDR-Enviro@omb.nyc.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York, Office of Management and Budget, Mark Page, Director  
Date: June 28, 2013

**AFFIDAVIT OF PUBLICATION**

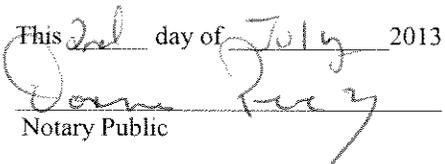
**STATE OF NEW YORK**

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Alison Bloom

**Subscribed to and  
Sworn before me**

This 2nd day of July 2013  
  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014

A 4 STATEN ISLAND ADVANCE FRIDAY, JUNE 28, 2013

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**CITY OF NEW YORK  
OFFICE OF MANAGEMENT AND BUDGET  
NEW YORK CITY HOUSING AUTHORITY  
COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER - RECOVERY PROGRAM**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND  
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- Strengthening emergency response and preparedness for future floods with the rehabilitation of City's community centers in the 100-year floodplain, many of which were damaged by Hurricane Sandy, and
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City of New York, Office of Management and Budget, Mark Page, Director  
Date: June 28, 2013

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**AFFIDAVIT OF PUBLICATION**

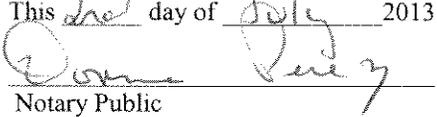
**STATE OF NEW YORK**

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Alison Bloom, being duly sworn, hereby declares and says, that she is the Advertising Account Executive responsible for placing of advertisement in **El Diario** for Miller Advertising Agency Inc; Located in New York, NY, and that the **Legal Advertisement** of which the annexed is a true copy, has been published in the said publication for **the New York City Housing Preservation and Development** on the **28<sup>th</sup>** day of **June** of the year **2013**.

  
Alison Bloom

**Subscribed to and  
Sworn before me**

This 2nd day of July 2013  
  
Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14<sup>th</sup> - 2014



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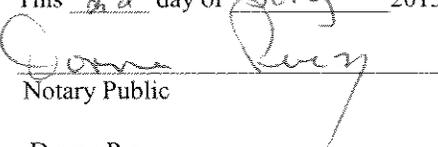
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# СОЕДИНЁННЫЕ ШТАТЫ ПОПУЛЯРНЫ В РОССИИ

## ТОЧКА ЗРЕНИЯ

Хотя российские государственные СМИ неплохо продают антиамериканские и антизападные теории заговора, не надо далеко ходить, чтобы наблюдать извергаемые российским телевидением довольно странные идеи... ну в общем, почти обо всем, я всегда считал, что это всегда переосмысливалось как способ понимания решений Кремля.

Для российского руководства антиамериканизм не замена марксизма-ленинизма, идеологической основы принятия решений и мерила всех событий. Напротив, это удобная тактика, которую можно использовать или оставлять в стороне, в зависимости от характера обсуждаемого вопроса.

В качестве примера рассмотрим НАТО. Это по-настоящему непопулярная организация: только около 3% россиян проявляют интерес к присоединению к этому блоку, и гораздо больше число тех, кто относится к нему скептически или явно враждебно. Учи-

тывая эти реалии, нет ничего удивительного в том, что, когда речь заходит о возможном присоединении Грузии или Украины к этому военному блоку, Кремль увеличивает обороты антизападной риторики. В самом деле, если взглянуть на цифры опроса, было бы странно, если бы российское руководство не воспринималось удивительно широко распространённым недоверием к альянсу. Неприятие непопулярной политики иностранных правительств не представляет собой шарады, требующей долгих изысканий, это как раз то, чего можно ожидать. Примерно то же самое справедливо в отношении Сирии. Российское общество в подавляющем большинстве отвергает решение конфликта военным путём, и очень заметно отсутствие симпатии к позиции Запада. Когда Запад поддерживает политику, решительно отвергаемую российским обществом, тот факт, что Кремль старается получить некий положительный пиар, ничуть не удивляет и выглядит вполне банально.

Но в других вопросах, например, о вступлении в ВТО, контроле над вооружениями, и даже о войне в Афганистане, россияне не столь настроены столь единодушно против Запада и не следуют неизменной пьесе, в которой Америка самый злой герой в мире. Во многих вопросах российское руководство может выглядеть таким же скучным, предсказуемым и заурядным, как любое другое, и по таким вопросам россияне не имеют никаких принципиальных возражений против работы со своими западными «партнёрами».



В большой степени, я думаю, это объясняется фактом, столь же очевидным, сколь и недооценённым: Америка достаточно популярна среди русских. Не абсо-

лютно популярна, но весьма популярна для «вражеской» страны. Конечно, США не столь популярны, как были в начале президентства Дж. Буша-младшего, но несмотря на всю бесконечную болтовню, что России и США суждено быть противниками, и несмотря на взаимные обвинения в отсутствии успехов в дипломатии, большая часть российского населения всё же благоприятно относится к США. Если российское правительство попытается превратить США во «врага», не просто страну, которая имеет другие взгляды на определённые политические вопросы, но в страну, которая должна быть только побеждена, это встретит существенное сопротивление. Кремль, при всех его недостатках, обычно вступает в поединки, который он заведомо способен выиграть, а попытаться обратить российское общество в состояние воинствующего антиамериканизма было бы бесполезной затеей. Большая часть населения продолжает дружелюбно относиться как к США, так и к ЕС. Во многих областях, особенно в экономике, Кремль проводит политику, не поддерживаемую большинством, но что касается внешней политики, Путин достаточно строго соблюдает консенсус с российским обществом.

Марк Адоманис, Forbes

**ГОРОД НЬЮ-ЙОРК**  
**АДМИНИСТРАТИВНО-БЮДЖЕТНОЕ УПРАВЛЕНИЕ**  
**УПРАВЛЕНИЕ ЖИЛИЩНО-КОММУНАЛЬНЫМИ УСЛУГАМИ**  
**ЦЕЛЕВАЯ СУБСИДИЯ НА РАЗВИТИЕ ИНФРАСТРУКТУРЫ –**  
**ЛИКВИДАЦИЯ ПОСЛЕДСТВИЙ ЧРЕЗВЫЧАЙНОЙ СИТУАЦИИ**  
**СОВОКУПНОЕ ЗАКЛЮЧЕНИЕ ОБ ОТСУТСТВИИ СУЩЕСТВЕННОГО ВОЗДЕЙСТВИЯ И**  
**УВЕДОМЛЕНИЕ О НАМЕРЕНИИ ЗАПРОСИТЬ ВЫДЕЛЕНИЕ СРЕДСТВ**

Настоящее уведомление имеет своей целью уведомить два отдельных, но взаимосвязанных процессуальных требования по мероприятиям, проводимым в Нью-Йорке:

**ЗАПРОС НА ВЫДЕЛЕНИЕ СРЕДСТВ**  
 Администрация жилищно-коммунального управления г. Нью-Йорка (NYCDOB) является организатором, ответственной за жилищные займы, осуществляемые в рамках программы CDBG-DR (Федеративного 11 июля 2013 года городского административного постановления «Сделайте свой район лучше» в городском районе США (HUD) запрос на выделение средств в рамках программы CDBG-DR для осуществления программы «Инфраструктура и восстановление жилья в Нью-Йорке» и иных мероприятий, необходимых для удовлетворения жилищных потребностей, связанных с ущербом от урагана «Сидри» в пяти районах города на сумму 306 млн долларов. Программой реконструкции и восстановления жилья в г. Нью-Йорке состоит из трех отдельных, но взаимосвязанных этапов для жилищных бенефициаров проекта, которые заключаются в предоставлении рентабельных ипотечных кредитов жилищным семьям на одну семью (от одной до четырех комнат), принадлежащих под одну из следующих трех категорий ущерба, классифицированной по факту:

- реконструкция: полностью разрушены или не подлежащие восстановлению жилищная собственность;
- капитальное восстановление: не поврежденная, но поврежденная по описанию жилищная программа в Нью-Йорке существующей жилищной собственности; а также
- умеренное восстановление: поврежденная ураганом «Сидри», но не разрушенная и не подлежащая по описанию жилищной программы в Нью-Йорке существующей жилищной собственности.

Мероприятия по восстановлению могут включать ремонт или замену структурных элементов, таких как крыша, окна и двери, теплоизоляция, плиты, водопровод и электрические проводки, несущие конструкции, водосточные водостоки и другие строительные материалы, включая металл, плитку, гипсокартон и другие меры по обеспечению энергоэффективности, меры по защите от урагана или канализации и другие меры обеспечения устойчивости. Мероприятия по реконструкции будут включать сумму жилищного поврежденного ураганом жилья, подготовку строительной площадки, подбор грунта в соответствии с требованиями, а также реконструкцию жилого дома на одну семью (до 4 помещений для жилищной площади арендуемой собственности).

**ЗАКЛЮЧЕНИЕ ОБ ОТСУТСТВИИ СУЩЕСТВЕННОГО ВОЗДЕЙСТВИЯ**  
 Городская администрация определила, что проект не окажет существенного ущерба среде обитания человека. Таким образом, необходимость в заключении о воздействии на окружающую среду согласно Закону о национальной политике в области окружающей среды 1969 года отсутствует. Дополнительная проектная информация содержится в Протоколе жилищной оценки и реконструкции г-на Саймона Обаман, заместителя директора Административно-бюджетного управления г. Нью-Йорка по адресу 255 Greenwich Street, 8th Floor, New York, NY 10007, и может быть представлена для ознакомления или комментариев в будние дни с 10:00 до 17:00.

**ЗАМЕЧАНИЯ**  
 Любое лицо, группа или учреждение, желающие с данным уведомлением или желаемые сделать замечания по проекту, могут представить письменные замечания в NYCDOB. Все замечания, полученные до 13 июля 2013 года, будут рассмотрены NYCDOB перед представлением в HUD запроса на выделение средств. В замечаниях должно быть указано, как выше. Уведомление описывает свои условия.

**ВЫДЕЛЕНИЕ СРЕДСТВ**  
 NYCDOB уведомляет HUD, что Mark Page, исполняющий обязанности контролера расходов программы CDBG-DR, дает свое согласие на осуществление ликвидации федеральных средств в случае необходимости в отношении и ответственности и связи с проектом жилищной инфраструктуры и обеспечения устойчивости этой ответственности. Утверждение HUD настоящего уведомления является требованием по исполнению этой ответственности в рамках Закона о национальной политике в области окружающей среды (NEPA) и соответствующего закона и постановления в действующем порядке право на исполнение средств в рамках программы CDBG-DR.

**ВОЗРАЖЕНИЯ ПО ПОВОДУ ВЫДЕЛЕНИЯ СРЕДСТВ**  
 HUD принимает возражения по выделению или средств в сертификации NYCDOB в течение пятидесяти дней после окончательной даты предоставления или фактического выделение им запросов (в зависимости от того, что наступит позже) только в том случае, если они отвечают одному из следующих требований (а) сертификация не была предоставлена сотрудническому NYCDOB, выделению средств; (б) NYCDOB пропустило один из этапов или не представило решение или заключение, требующее согласия заявителя HUD 24 CFR часть 58; (в) возмещение субсидии жилищных средств или погашения, не разрешенные 24 CFR часть 58 до утверждения выделенных средств HUD; либо (д) другой федеральной орган, действующий согласно 40 CFR часть 1504, представил письменное заявление о неадекватности проекта с точки зрения сохранения окружающей среды. Возражения должны быть поданы в соответствии с требованиями процедуры (24 CFR часть 58) и направляются по адресу: Terrielle S. Paffen, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, RM 2272, Washington, D.C. 20410 или e-mail: CDBGDR-Info@omb.ehps.gov. Лица, имеющие возражения, должны обратиться в HUD для вынесения точной даты вынесения решения по возражениям.

Лица, желающие обратиться в HUD для вынесения точной даты завершения процесса вынесения решения вынесения.  
 Город Нью-Йорк, Административно-бюджетное управление, Mark Page, директор  
 Дата: 28 июня 2013 года 1054-95-2

**ГОРОД НЬЮ-ЙОРК**  
**АДМИНИСТРАТИВНО-БЮДЖЕТНОЕ УПРАВЛЕНИЕ**  
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**ЗАМЕЧАНИЯ**  
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**ВЫДЕЛЕНИЕ СРЕДСТВ**  
 NYCDOB уведомляет HUD, что Mark Page, исполняющий обязанности контролера расходов программы CDBG-DR, дает свое согласие на осуществление ликвидации федеральных средств в случае необходимости в отношении и ответственности и связи с проектом жилищной инфраструктуры и обеспечения устойчивости этой ответственности. Утверждение HUD настоящего уведомления является требованием по исполнению этой ответственности в рамках Закона о национальной политике в области окружающей среды (NEPA) и соответствующего закона и постановления в действующем порядке право на исполнение средств в рамках программы CDBG-DR.

**ВОЗРАЖЕНИЯ ПО ПОВОДУ ВЫДЕЛЕНИЯ СРЕДСТВ**  
 HUD принимает возражения по выделению или средств в сертификации NYCDOB в течение пятидесяти дней после окончательной даты предоставления или фактического выделение им запросов (в зависимости от того, что наступит позже) только в том случае, если они отвечают одному из следующих требований (а) сертификация не была предоставлена сотрудническому NYCDOB, выделению средств; (б) NYCDOB пропустило один из этапов или не представило решение или заключение, требующее согласия заявителя HUD 24 CFR часть 58; (в) возмещение субсидии жилищных средств или погашения, не разрешенные 24 CFR часть 58 до утверждения выделенных средств HUD; либо (д) другой федеральной орган, действующий согласно 40 CFR часть 1504, представил письменное заявление о неадекватности проекта с точки зрения сохранения окружающей среды. Возражения должны быть поданы в соответствии с требованиями процедуры (24 CFR часть 58) и направляются по адресу: Terrielle S. Paffen, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, RM 2272, Washington, D.C. 20410 или e-mail: CDBGDR-Info@omb.ehps.gov. Лица, имеющие возражения, должны обратиться в HUD для вынесения точной даты вынесения решения по возражениям.

Город Нью-Йорк, Административно-бюджетное управление, Mark Page, директор  
 Дата: 28 июня 2013 года 1054-95-1

# 9.0 REQUEST FOR RELEASE OF FUNDS (FORM 7015.15)

## Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

OMB No. 2506-0087  
(exp. 10/31/2014)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

### Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) NYC Build It Back: NYCHA Public Housing Rehabilitation and Resilience	2. HUD/State Identification Number <b>B-13-MS-36-0001</b>	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity <b>Mark Page, Director, NYC Office of Management &amp; Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007</b>	
6. For information about this request, contact (name & phone number) <b>Calvin Johnson, NYC Office of Management &amp; Budget</b>	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request Tennille Smith Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD 451 7th Street SW, Rm 7272, Washington, D.C. 20410. (email: <a href="mailto:tennille.s.parker@hud.gov">tennille.s.parker@hud.gov</a> )		

**The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following**

9. Program Activity(ies)/Project Name(s) <small>*Install permanent emergency power systems at 100 of NYCHA's most vulnerable buildings impacted by Hurricane Sandy at required elevations to ensure permanent power provision to building systems. *Implementing flood resilience measures at NYCHA developments, including the elevation of mechanical and electrical systems to buildings located in the new Special Flood Hazard Zone A. *Strengthening emergency response and preparedness for future floods with new Emergency Operations Center and standard Incident Command Center, and rehabilitation of 30 community centers located in the new Special Flood Hazard Zone A.</small>	10. Location (Street address, city, county, State) Up to 58 existing public housing residential developments operated by NYCHA that are located in the five boroughs of New York City, New York (see attached list of properties).
---	---

#### 11. Program Activity/Project Description

The NYCHA Public Housing activities to be funded by CDBG-DR will improve NYCHA's housing services to tenant households affected by Hurricane Sandy. Under NYCHA Public Housing the proposed activities will rehabilitate and replace critical building infrastructure and incorporate new equipment and measures to restore structure elements and service systems to pre-storm conditions. NYCHA intends to make these systems more sustainable and resilient to future storm events and further promoting the preservation of the the City's public housing assets with the implementation of sustainable designs. The CDBG-DR funding in the amount of \$120,000,000 will support these efforts by NYCHA to achieve disaster recovery and reduce vulnerabilities to future storm forces. A 90% portion (\$108,000,000) is available to NYCHA, while 10% (\$12,000,000) is dedicated to Citywide Planning and Administration of this program.

Sustainable designs for the rehabilitation and resiliency measures will be implemented. Activities include the installation of permanent power systems at NYCHA's most vulnerable buildings, which were impacted by Hurricane Sandy's disruption of power services to thousands of its residents, all with low to moderate incomes. These measures include ensuring permanent provision of electrical power to building elevators, public hallways, stairwells, public spaces, building lobbies, trash compactors, and critical water/heating and domestic/hot water system pumps and controls. Additional measures include the replacement and elevation of damaged infrastructure that primarily includes mechanical and electrical systems serving buildings located in the new flood zone AE; local command centers, phone charging stations, or emergency shelters during future storms; and a new Emergency Operations Center with a standard Incident Command Center.

See attached list of the potentially targeted NYCHA properties.

**Part 2. Environmental Certification (to be completed by responsible entity)**

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did  did not  require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

Title of Certifying Officer

*Assistant Director, CDBG-DR, NYL ONB*  
Director, New York City Office of Management & Budget

Date signed

7/15/13

Address of Certifying Officer

255 Greenwich Street, 8th Floor, New York, NY 10007

**Part 3. To be completed when the Recipient is not the Responsible Entity**

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Previous editions are obsolete

form HUD-7015.15 (1/99)

# 10.0 AUTHORITY TO USE GRANT FUNDS (FORM 7015.16)

## Authority to Use Grant Funds

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

<b>To:</b> (name & address of Grant Recipient & name & title of Chief Executive Officer) Calvin Johnson, Asst Director NYC Office of Management and Budget 255 Greenwich Street, 8th floor New York, NY 10007	<b>Copy To:</b> (name & address of SubRecipient) Mark Page
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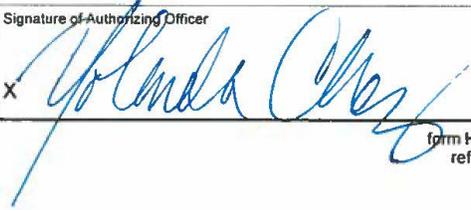
We received your Request for Release of Funds and Certification, form HUD-7015.15 on	07/18/2013
Your Request was for HUD/State Identification Number	B-13-MS-36-0001

All objections, if received, have been considered. And the minimum waiting period has transpired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit, and inspection purposes.

Project Activity: NYCHA Public Housing Rehabilitation

Program Description: NYCHA Public Housing will improve housing services to residents. The activities will include rehabilitation projects and replacement of building infrastructure, which will incorporate new equipment and measures to restore structure elements and service systems. The systems will be more sustainable to promote preservation of the City's Public Housing assets.

Project funding:  
CDBG-DR-\$120,000,000

Typed Name of Authorizing Officer Yolanda Chávez	Signature of Authorizing Officer 	Date (mm/dd/yyyy) 08/03/2013
Title of Authorizing Officer Deputy Assistant Secretary for Grant Programs	X	

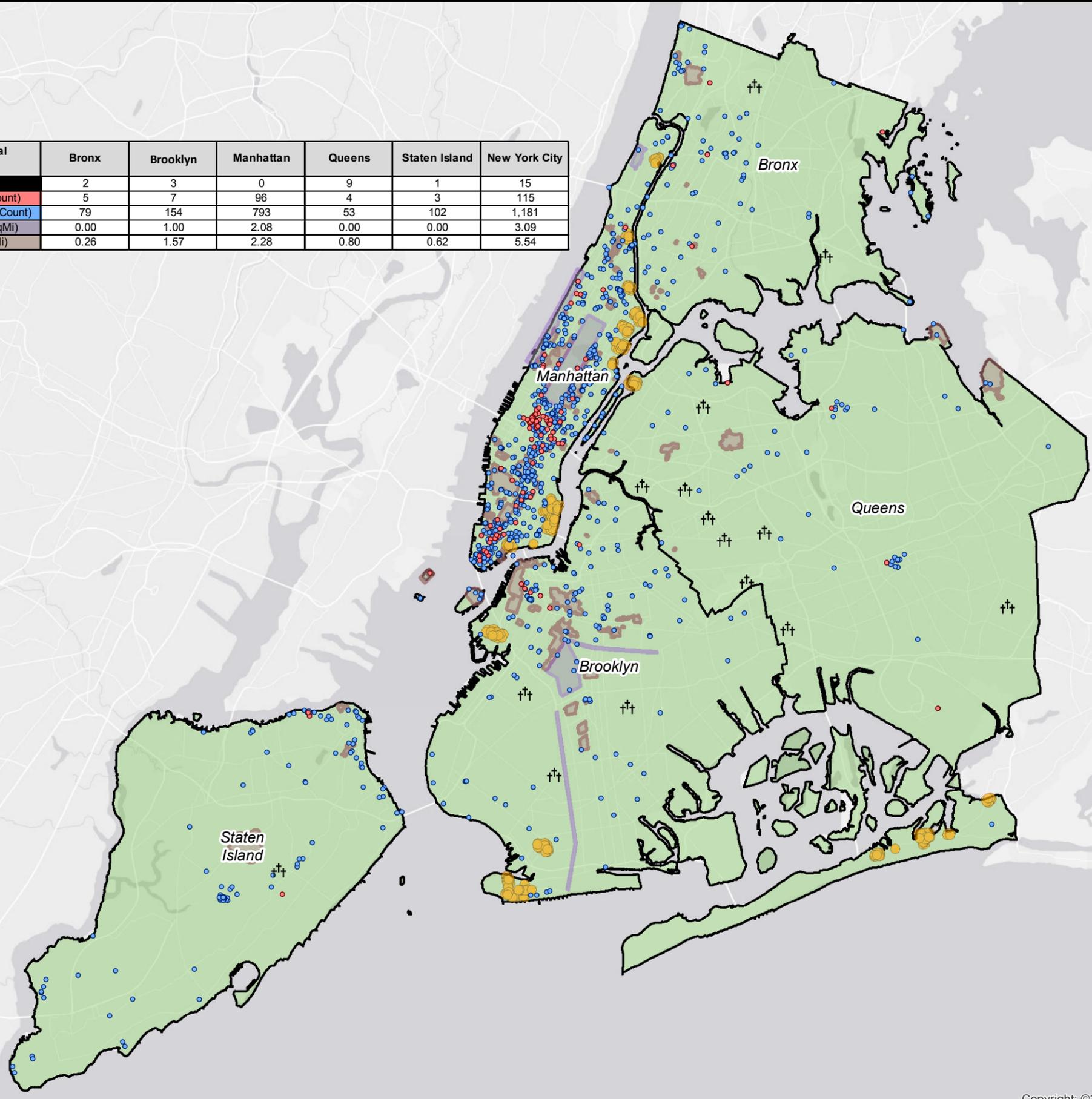
Previous editions are obsolete.

form HUD-7015.16 (2/94)  
ref. Handbook 6513.01

# Appendix A

## Figures and Tables

Historic/Cultural Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Cemeteries (Count)	2	3	0	9	1	15
Landmark Interiors (Count)	5	7	96	4	3	115
Individual Landmarks (Count)	79	154	793	53	102	1,181
Scenic Landmarks (SqMi)	0.00	1.00	2.08	0.00	0.00	3.09
Historic Districts (SqMi)	0.26	1.57	2.28	0.80	0.62	5.54

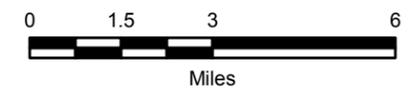


**Legend**

- New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- Cemeteries  
*NYC Dept. of Planning (Jan 2010)*
- Landmark Interiors  
*NYC Landmarks Preservation Commission (2009)*
- Individual Landmarks  
*NYC Landmarks Preservation Commission (2009)*
- Scenic Landmarks  
*NYC Landmarks Preservation Commission (2009)*
- Historic Districts  
*NYC Landmarks Preservation Commission (2009)*
- Indian Nation Areas of Interest**
- Shinnecock and Delaware Nations  
*NYS Historic Preservation Office*
- NYCHA Public Housing Facilities**
- Funded Properties  
in the 100 Year Floodplain  
*NYCHA (July 2011)*

**Note:**  
The information depicted in this figure has been obtained from public sources and does not represent a complete accounting of historic and cultural resources, some of which may be undergoing evaluation and others are unknown.

Some of these locations are listed by NYC Housing Authority as potentially funded properties. The NYC Office of Management and Budget received a letter from the NY State Office of Parks, Recreation and Historic Preservation detailing these properties on March 8, 2013 (see Tier I Environmental Review for NYCHA Public Housing Appendix B-1).



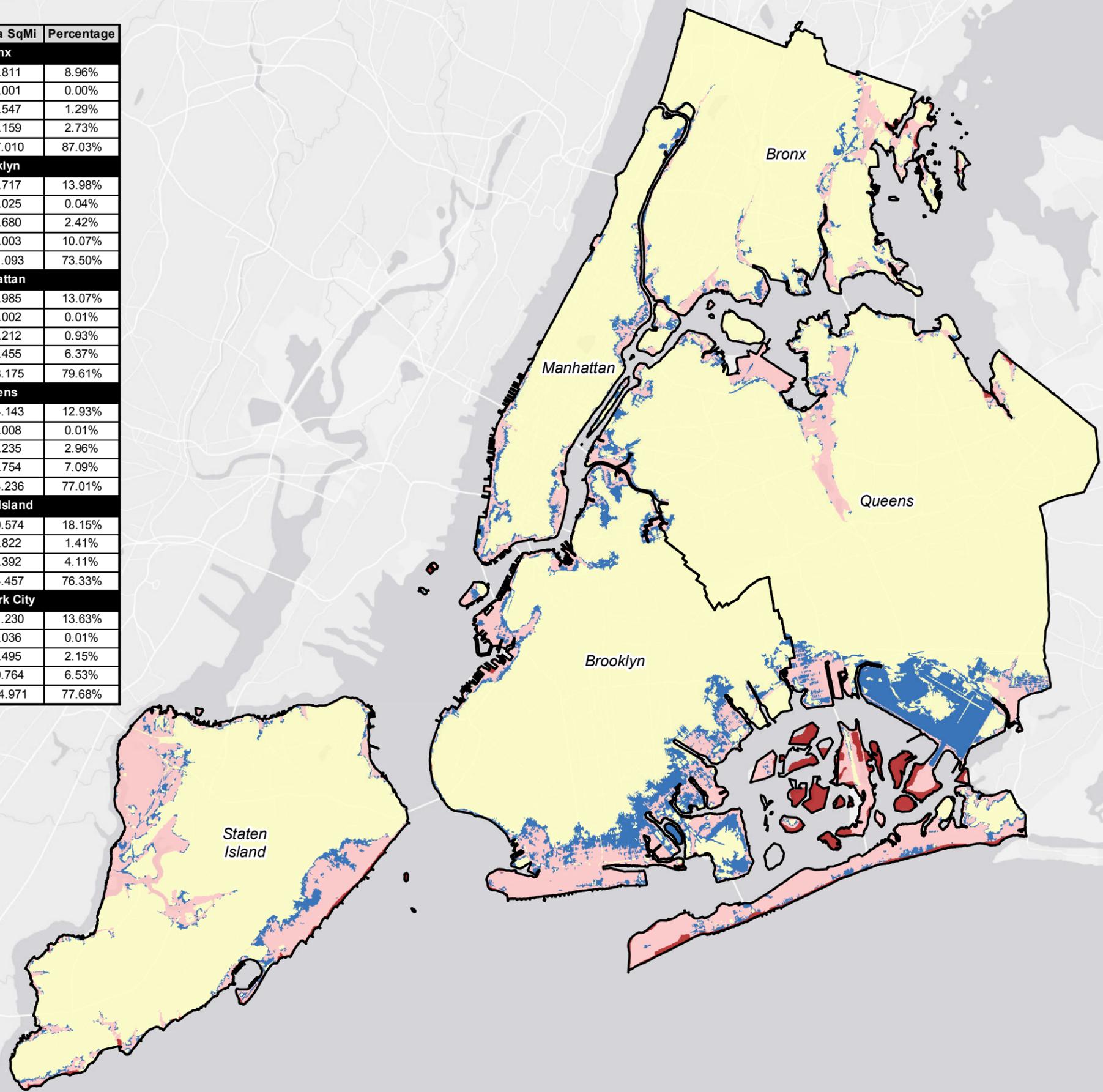
**Reference:**  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**1-1**  
**HISTORIC AND CULTURAL SITES  
IN NEW YORK CITY**



Flood Zone	Area SqMi	Percentage
<b>Bronx</b>		
AE	3.811	8.96%
AO	0.001	0.00%
VE	0.547	1.29%
Shaded X (500yr)	1.159	2.73%
Unshaded X	37.010	87.03%
<b>Brooklyn</b>		
AE	9.717	13.98%
AO	0.025	0.04%
VE	1.680	2.42%
Shaded X (500yr)	7.003	10.07%
Unshaded X	51.093	73.50%
<b>Manhattan</b>		
AE	2.985	13.07%
AO	0.002	0.01%
VE	0.212	0.93%
Shaded X (500yr)	1.455	6.37%
Unshaded X	18.175	79.61%
<b>Queens</b>		
AE	14.143	12.93%
AO	0.008	0.01%
VE	3.235	2.96%
Shaded X (500yr)	7.754	7.09%
Unshaded X	84.236	77.01%
<b>Staten Island</b>		
AE	10.574	18.15%
VE	0.822	1.41%
Shaded X (500yr)	2.392	4.11%
Unshaded X	44.457	76.33%
<b>New York City</b>		
AE	41.230	13.63%
AO	0.036	0.01%
VE	6.495	2.15%
Shaded X (500yr)	19.764	6.53%
Unshaded X	234.971	77.68%



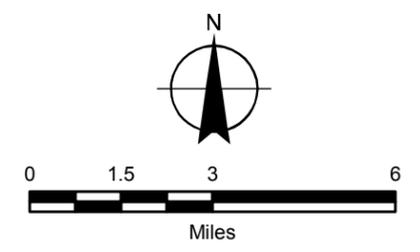
**Legend**

New York City Boroughs  
 NYC Dept. of City Planning (March 2013)

**FEMA Preliminary Work Map Flood Zones**

- 100 Year Floodplain - Zone AE
- 100 Year Floodplain - Zone AO
- 100 Year Floodplain - Zone VE
- 500 Year Floodplain - Shaded Zone X
- Outside of Floodplain - Unshaded X  
Federal Emergency Management Agency (June 2013)

Note:  
 Zone designations include: Zone AE: an area inundated by 1% annual chance flooding, and BFEs have been determined. Zone AO: an area inundated by 1% annual chance flooding, (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from 1 to 3 feet. Zone VE: an area inundated by 1% annual chance flooding with velocity hazard (wave action); BFEs have been determined. Shaded Zone X: an area inundated by 0.2% annual chance flooding.



Reference:  
 The source of each feature is displayed beneath each feature in the legend.

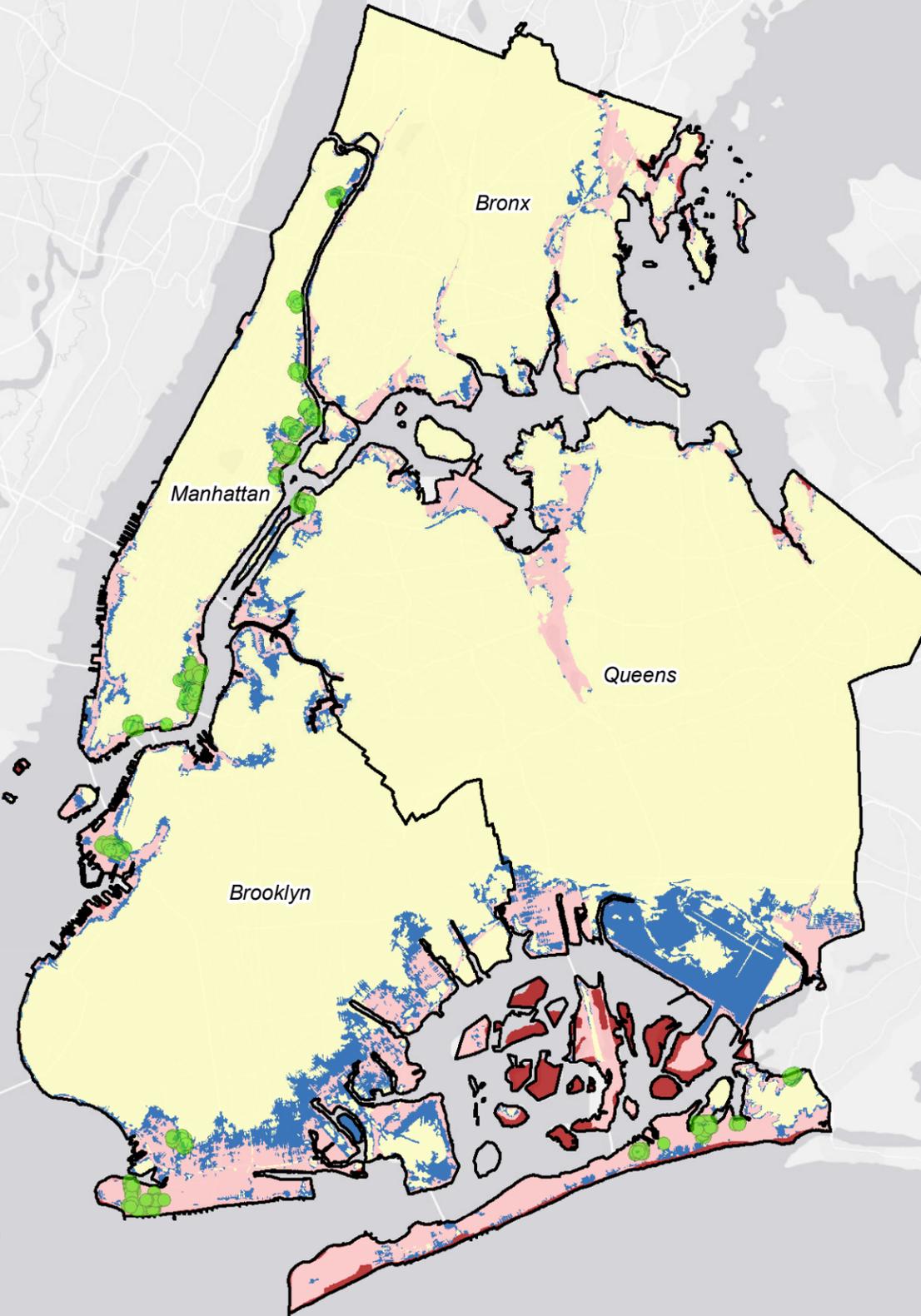
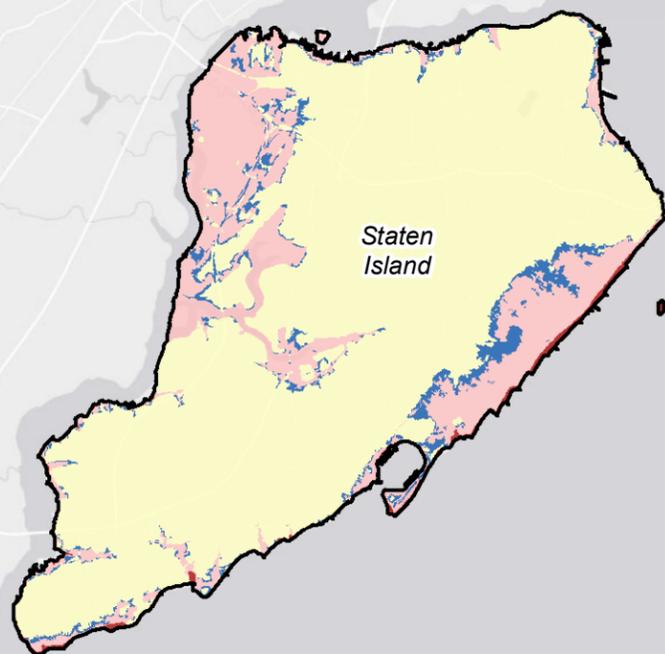
TIER I ENVIRONMENTAL REVIEW  
 COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
 HURRICANE SANDY DISASTER RECOVERY  
 NYC BUILD IT BACK:  
 NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**2-1**

**FLOOD HAZARD AREAS  
 IN NEW YORK CITY**



Flood Zone	Area SqMi	Percentage	NYCHA Potentially Funded Properties
<b>Bronx</b>			
AE	3.811	8.96%	
AO	0.001	0.00%	
VE	0.547	1.29%	
Shaded X (500yr)	1.159	2.73%	
Unshaded X	37.010	87.03%	
<b>Brooklyn</b>			
AE	9.717	13.98%	12
AO	0.025	0.04%	
VE	1.680	2.42%	
Shaded X (500yr)	7.003	10.07%	
Unshaded X	51.093	73.50%	
<b>Manhattan</b>			
AE	2.985	13.07%	25
AO	0.002	0.01%	
VE	0.212	0.93%	
Shaded X (500yr)	1.455	6.37%	
Unshaded X	18.175	79.61%	
<b>Queens</b>			
AE	14.143	12.93%	7
AO	0.008	0.01%	
VE	3.235	2.96%	
Shaded X (500yr)	7.754	7.09%	
Unshaded X	84.236	77.01%	
<b>Staten Island</b>			
AE	10.574	18.15%	
VE	0.822	1.41%	
Shaded X (500yr)	2.392	4.11%	
Unshaded X	44.457	76.33%	
<b>New York City</b>			
AE	41.230	12.53%	44
AO	0.036	0.01%	
VE	6.495	2.17%	
Shaded X (500yr)	19.764	6.62%	
Unshaded X	234.971	78.67%	



**Legend**

New York City Boroughs  
NYC Dept. of City Planning (March 2013)

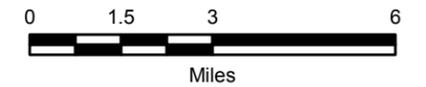
**NYCHA Public Housing Facilities**

Funded Properties  
in the 100 Year Floodplain  
NYCHA (July 2011)

**FEMA Preliminary Work Map Flood Zones**

- 100 Year Floodplain - Zone AE
- 100 Year Floodplain - Zone AO
- 100 Year Floodplain - Zone VE
- 500 Year Floodplain - Shaded Zone X
- Outside of Floodplain - Unshaded X  
*Federal Emergency Management Agency (June 2013)*

Note:  
Zone designations include: Zone AE: an area inundated by 1% annual chance flooding, and BFEs have been determined. Zone AO: an area inundated by 1% annual chance flooding, (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from 1 to 3 feet. Zone VE: an area inundated by 1% annual chance flooding with velocity hazard (wave action); BFEs have been determined. Shaded Zone X: an area inundated by 0.2% annual chance flooding.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**2-2**

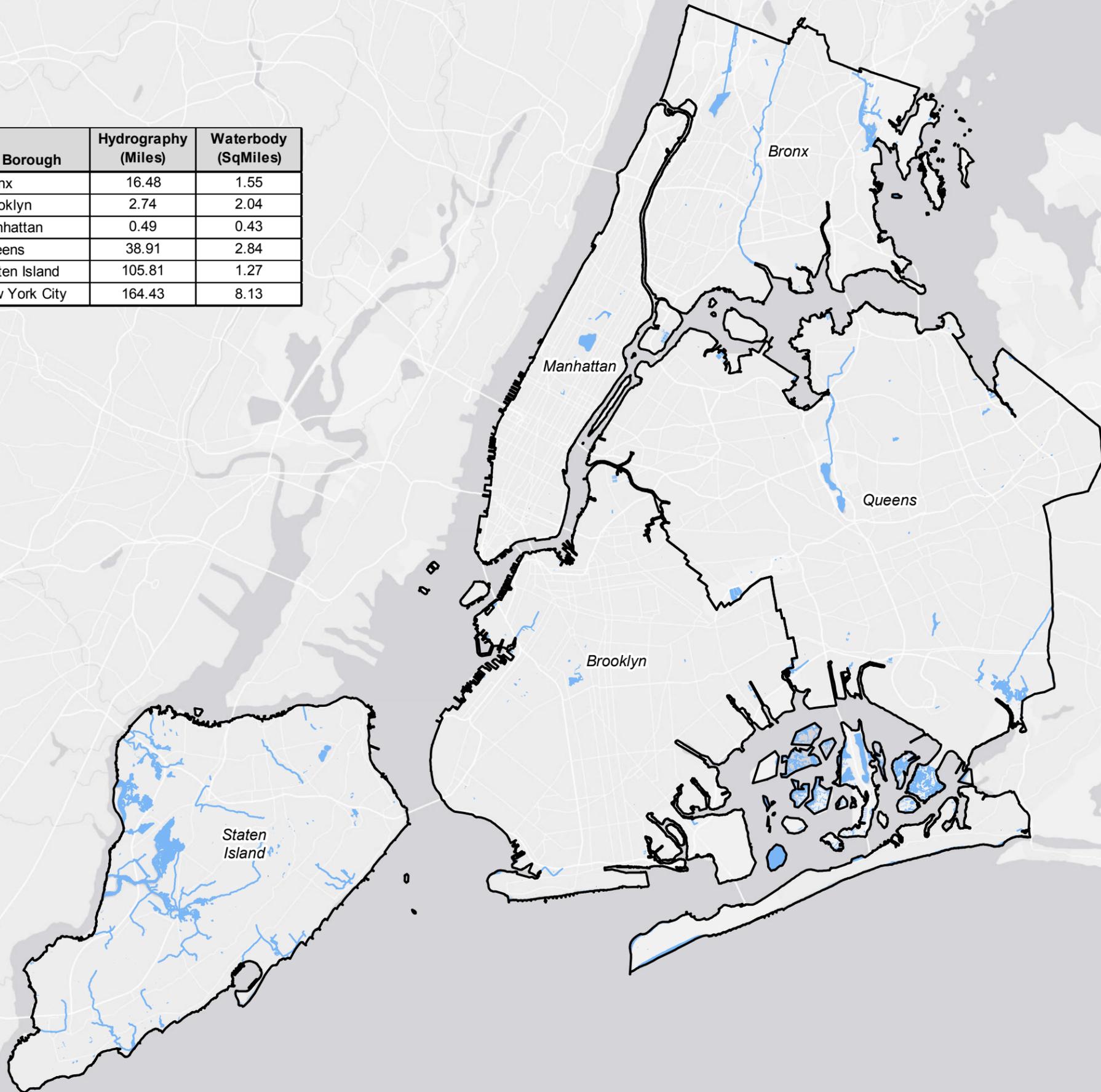
**FLOOD HAZARD AREAS  
AND NYCHA PUBLIC HOUSING  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

**NYC  
BUILD IT  
BACK**

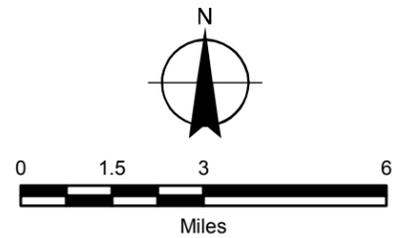
Stronger & Safer

Borough	Hydrography (Miles)	Waterbody (SqMiles)
Bronx	16.48	1.55
Brooklyn	2.74	2.04
Manhattan	0.49	0.43
Queens	38.91	2.84
Staten Island	105.81	1.27
New York City	164.43	8.13



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Hydrography  
*US Geological Survey (Feb 2012)*
-  Waterbody  
*US Geological Survey (Feb 2012)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**3-1** SURFACE WATER RESOURCES  
IN NEW YORK CITY

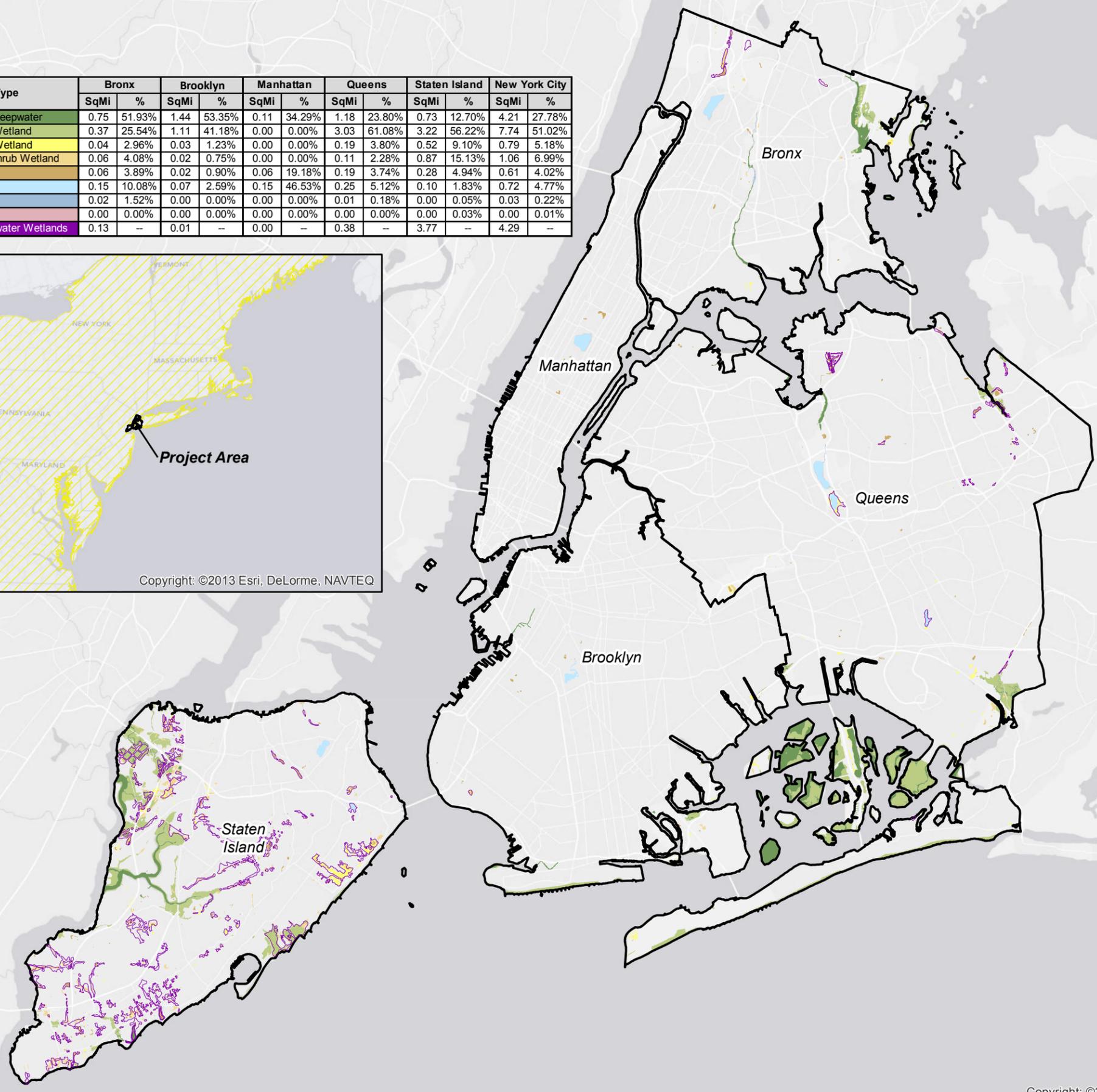
**NYC** Housing  
Recovery



**Table 4 - 1  
New York City Migratory Bird List\***

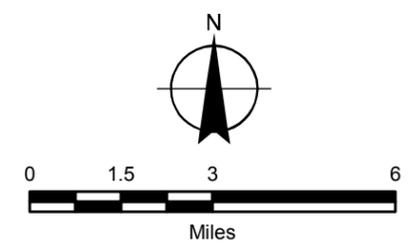
Common Name	Scientific Name	Common Name	Scientific Name	Common Name	Scientific Name
Acadian Flycatcher	<i>Empidonax virescens</i>	Eastern Kingbird	<i>Tyrannus tyrannus</i>	Peregrine Falcon	<i>Falco peregrinus</i>
American Black Duck	<i>Anas rubripes</i>	Eastern Meadowlark	<i>Sturnella magna</i>	Pied-billed Grebe	<i>Podilymbus podiceps</i>
American Crow	<i>Corvus brachyrhynchos</i>	Eastern Phoebe	<i>Sayornis phoebe</i>	Pine Warbler	<i>Setophaga pinus</i>
American Goldfinch	<i>Spinus tristis</i>	Eastern Screech-Owl	<i>Megascops asio</i>	Piping Plover**	<i>Charadrius melodus</i>
American Kestrel	<i>Falco sparverius</i>	Eastern Towhee	<i>Pipilo erythrophthalmus</i>	Purple Martin	<i>Progne subis</i>
American Oystercatcher	<i>Haematopus palliatus</i>	Eastern Wood-Pewee	<i>Contopus virens</i>	Red-bellied Woodpecker	<i>Melanerpes carolinus</i>
American Redstart	<i>Setophaga ruticilla</i>	Field Sparrow	<i>Spizella pusilla</i>	Red-eyed Vireo	<i>Vireo olivaceus</i>
American Robin	<i>Turdus migratorius</i>	Fish Crow	<i>Corvus ossifragus</i>	Red-tailed Hawk	<i>Buteo jamaicensis</i>
American Woodcock	<i>Scolopax minor</i>	Forster's Tern	<i>Sterna forsteri</i>	Red-winged Blackbird	<i>Agelaius phoeniceus</i>
Baltimore Oriole	<i>Icterus galbula</i>	Gadwall	<i>Anas strepera</i>	Roseate Tern**	<i>Sterna dougallii</i>
Bank Swallow	<i>Riparia riparia</i>	Glossy Ibis	<i>Plegadis falcinellus</i>	Rose-breasted Grosbeak	<i>Pheucticus ludovicianus</i>
Barn Owl	<i>Tyto alba</i>	Gray Catbird	<i>Dumetella carolinensis</i>	Ruby-throated Hummingbird	<i>Archilochus colubris</i>
Barn Swallow	<i>Hirundo rustica</i>	Great Blue Heron	<i>Ardea herodias</i>	Ruddy Duck	<i>Oxyura jamaicensis</i>
Belted Kingfisher	<i>Megaceryle alcyon</i>	Great Crested Flycatcher	<i>Myiarchus crinitus</i>	Saltmarsh Sharp-tailed Sparrow	<i>Ammodramus caudacutus</i>
Black Skimmer	<i>Rynchops niger</i>	Great Horned Owl	<i>Bubo virginianus</i>	Savannah Sparrow	<i>Passerculus sandwichensis</i>
Black-and-white Warbler	<i>Mniotilta varia</i>	Green Heron	<i>Butorides virescens</i>	Scarlet Tanager	<i>Scarlet Tanager</i>
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	Gull-billed Tern	<i>Gelochelidon nilotica</i>	Seaside Sparrow	<i>Ammodramus maritimus</i>
Black-capped Chickadee	<i>Poecile atricapillus</i>	Hairy Woodpecker	<i>Picoides villosus</i>	Short-eared Owl	<i>Asio flammeus</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>	Herring Gull	<i>Larus argentatus</i>	Snowy Egret	<i>Egretta thula</i>
Blue Grosbeak	<i>Passerina caerulea</i>	Hermit Thrush	<i>Catharus guttatus</i>	Song Sparrow	<i>Melospiza melodia</i>
Blue Jay	<i>Cyanocitta cristata</i>	Hooded Warbler	<i>Setophaga citrina</i>	Spotted Sandpiper	<i>Actitis macularius</i>
Blue-gray Gnatcatcher	<i>Polioptila caerulea</i>	House Finch	<i>Haemorhous mexicanus</i>	Swamp Sparrow	<i>Melospiza georgiana</i>
Blue-winged Teal	<i>Anas discors</i>	House Wren	<i>Troglodytes aedon</i>	Tree Swallow	<i>Tachycineta bicolor</i>
Blue-winged Warbler	<i>Vermivora cyanoptera</i>	Indigo Bunting	<i>Passerina cyanea</i>	Tricolored Heron	<i>Egretta tricolor</i>
Boat-tailed Grackle	<i>Quiscalus major</i>	Kentucky Warbler	<i>Geothlypis formosa</i>	Tufted Titmouse	<i>Baeolophus bicolor</i>
Bobolink	<i>Dolichonyx oryzivorus</i>	Killdeer	<i>Charadrius vociferus</i>	Turkey Vulture	<i>Cathartes aura</i>
Broad-winged Hawk	<i>Buteo platypterus</i>	Laughing Gull	<i>Leucophaeus atricilla</i>	Upland Sandpiper	<i>Bartramia longicauda</i>
Brown Thrasher	<i>Toxostoma rufum</i>	Least Bittern	<i>Ixobrychus exilis</i>	Veery	<i>Catharus fuscescens</i>
Brown-headed Cowbird	<i>Molothrus ater</i>	Least Tern	<i>Ixobrychus exilis</i>	Virginia Rail	<i>Rallus limicola</i>
Canada Goose	<i>Branta canadensis</i>	Little Blue Heron	<i>Egretta caerulea</i>	Warbling Vireo	<i>Vireo gilvus</i>
Carolina Wren	<i>Thryothorus ludovicianus</i>	Mallard	<i>Anas platyrhynchos</i>	White-breasted Nuthatch	<i>Sitta carolinensis</i>
Cattle Egret	<i>Bubulcus ibis</i>	Mallard x Am. Black Duck Hybrid	<i>Anas platyrhynchos x rubripes</i>	White-eyed Vireo	<i>Vireo griseus</i>
Cedar Waxwing	<i>Bombycilla cedrorum</i>	Marsh Wren	<i>Cistothorus palustris</i>	Willet	<i>Tringa semipalmata</i>
Chimney Swift	<i>Chaetura pelagica</i>	Mourning Dove	<i>Zenaida macroura</i>	Willow Flycatcher	<i>Empidonax traillii</i>
Chipping Sparrow	<i>Spizella passerina</i>	Northern Cardinal	<i>Cardinalis cardinalis</i>	Wilson's Snipe	<i>Gallinago delicata</i>
Clapper Rail	<i>Rallus longirostris</i>	Northern Flicker	<i>Colaptes auratus</i>	Wood Duck	<i>Aix sponsa</i>
Common Grackle	<i>Quiscalus quiscula</i>	Northern Harrier	<i>Circus cyaneus</i>	Wood Thrush	<i>Hylocichla mustelina</i>
Common Moorhen	<i>Gallinula galeata</i>	Northern Mockingbird	<i>Mimus polyglottos</i>	Yellow-billed Cuckoo	<i>Coccyzus americanus</i>
Common Nighthawk	<i>Chordeiles minor</i>	Northern Shoveler	<i>Anas clypeata</i>	Yellow-breasted Chat	<i>Icteria virens</i>
Common Tern	<i>Sterna hirundo</i>	Northern Parula	<i>Setophaga americana</i>	Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>
Common Yellowthroat	<i>Geothlypis trichas</i>	Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>		
Cooper's Hawk	<i>Accipiter cooperii</i>	Ovenbird	<i>Seiurus aurocapilla</i>	* US Fish and Wildlife Service Migratory Bird List (4/2012)	
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Orchard Oriole	<i>Icterus spurius</i>	** Denotes a federally-listed species	
Downy Woodpecker	<i>Picoides pubescens</i>	Osprey	<i>Pandion haliaetus</i>		

Wetland Type	Bronx		Brooklyn		Manhattan		Queens		Staten Island		New York City	
	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%
Estuarine and Marine Deepwater	0.75	51.93%	1.44	53.35%	0.11	34.29%	1.18	23.80%	0.73	12.70%	4.21	27.78%
Estuarine and Marine Wetland	0.37	25.54%	1.11	41.18%	0.00	0.00%	3.03	61.08%	3.22	56.22%	7.74	51.02%
Freshwater Emergent Wetland	0.04	2.96%	0.03	1.23%	0.00	0.00%	0.19	3.80%	0.52	9.10%	0.79	5.18%
Freshwater Forested/Shrub Wetland	0.06	4.08%	0.02	0.75%	0.00	0.00%	0.11	2.28%	0.87	15.13%	1.06	6.99%
Freshwater Pond	0.06	3.89%	0.02	0.90%	0.06	19.18%	0.19	3.74%	0.28	4.94%	0.61	4.02%
Lake	0.15	10.08%	0.07	2.59%	0.15	46.53%	0.25	5.12%	0.10	1.83%	0.72	4.77%
Riverine	0.02	1.52%	0.00	0.00%	0.00	0.00%	0.01	0.18%	0.00	0.05%	0.03	0.22%
Other	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.00	0.03%	0.00	0.01%
NYS Regulatory Freshwater Wetlands	0.13	--	0.01	--	0.00	--	0.38	--	3.77	--	4.29	--



**Legend**

- New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- NYS Regulatory Freshwater Wetlands  
*NYC Dept. of Env. Conservation (1999)*
- National Wetland Inventory - Type**
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Riverine
  - Other  
*US Fish and Wildlife Service (Jan 2013)*
- Migratory Bird Flyway  
*ESRI/Ducks Unlimited Oracle-based Habitat Project Tracking System (April 2005)*



Reference:  
The source of each feature is displayed beneath each feature in the legend.

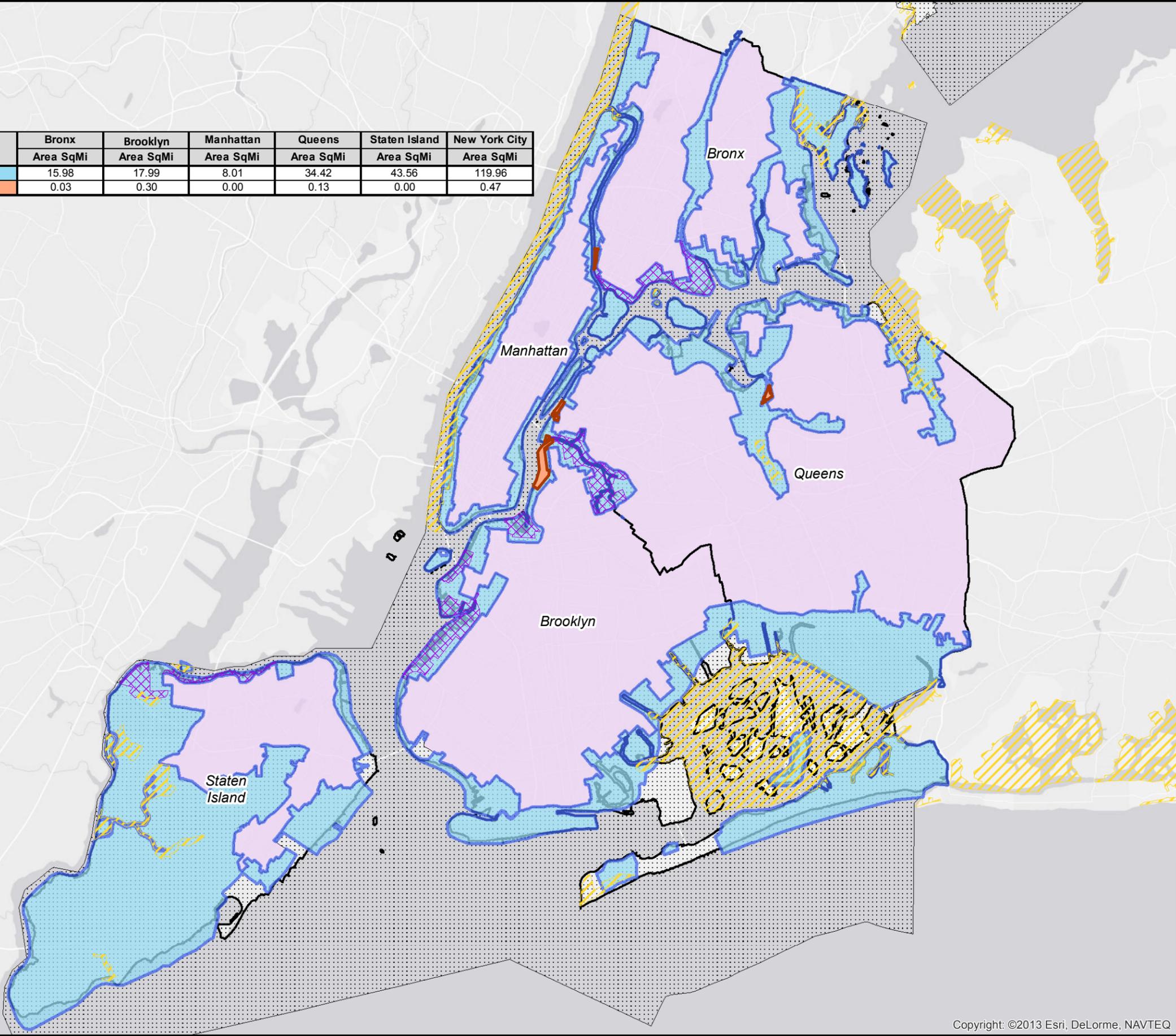
TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**4-1**

**WETLANDS  
IN NEW YORK CITY**



Coastal Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
	Area SqMi	Area SqMi				
Coastal Zone Boundary	15.98	17.99	8.01	34.42	43.56	119.96
Waterfront Access Plan	0.03	0.30	0.00	0.13	0.00	0.47

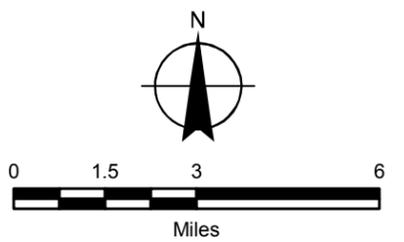


**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Coastal Zone Boundary  
*NYC Dept. of City Planning, Waterfront and Open Space Division (Sep 2011)*
-  Waterfront Access Plan  
*NYC Dept. of City Planning, Planning Coordination, Waterfront and Open Space Division (Sep 2011)*
-  Significant Maritime and Industrial Areas  
*NYC Dept. of City Planning, Waterfront and Open Space Division (Mar 2012)*
-  Significant Coastal Fish and Wildlife Habitats  
*NYS Dept. of State, Division of Coastal Resources (Jan 2013)*
-  Local Waterfront Revitalization Areas  
*NYS Dept. of State, Office of Communities and Waterfronts (April 2013)*
-  Local Waterfront Revitalization Program Communities  
*NYS Dept. of State, Office of Communities and Waterfronts (April 2013)*

**Note:**  
The Coastal Zone Boundary represented in this figure is being revised by the Waterfront Revitalization Program of the NYC Department of City Planning and is expected to take effect in 2014.

The Coastal Zone Boundary encompasses the following coastal features: Significant Maritime and Industrial Areas, Significant Coastal Fish and Wildlife Habitats, Special Natural Waterfront Areas, Staten Island Bluebelts, Tidal and Freshwater Wetlands, Coastal Floodplains and Flood Hazard Areas, Erosion Hazard Areas, Coastal Barrier Resources Act Areas, Steep Slopes, Parks and Beaches, Visual Access and Views of Coastal Waters and the Harbor, Historic, Archaeological, and Cultural Sites Closely Associated with the Coast, and Special Zoning Districts.



**Reference:**  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

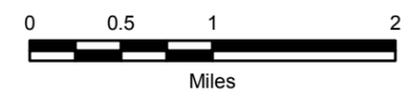
FIGURE NUMBER  
**5-1** COASTAL ZONE MANAGEMENT  
IN NEW YORK CITY





**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  NYCHA Public Housing Facilities  
*NYCHA (July 2011)*
-  Coastal Barrier Resource System  
*US Fish and Wildlife Service (Nov 2012)*



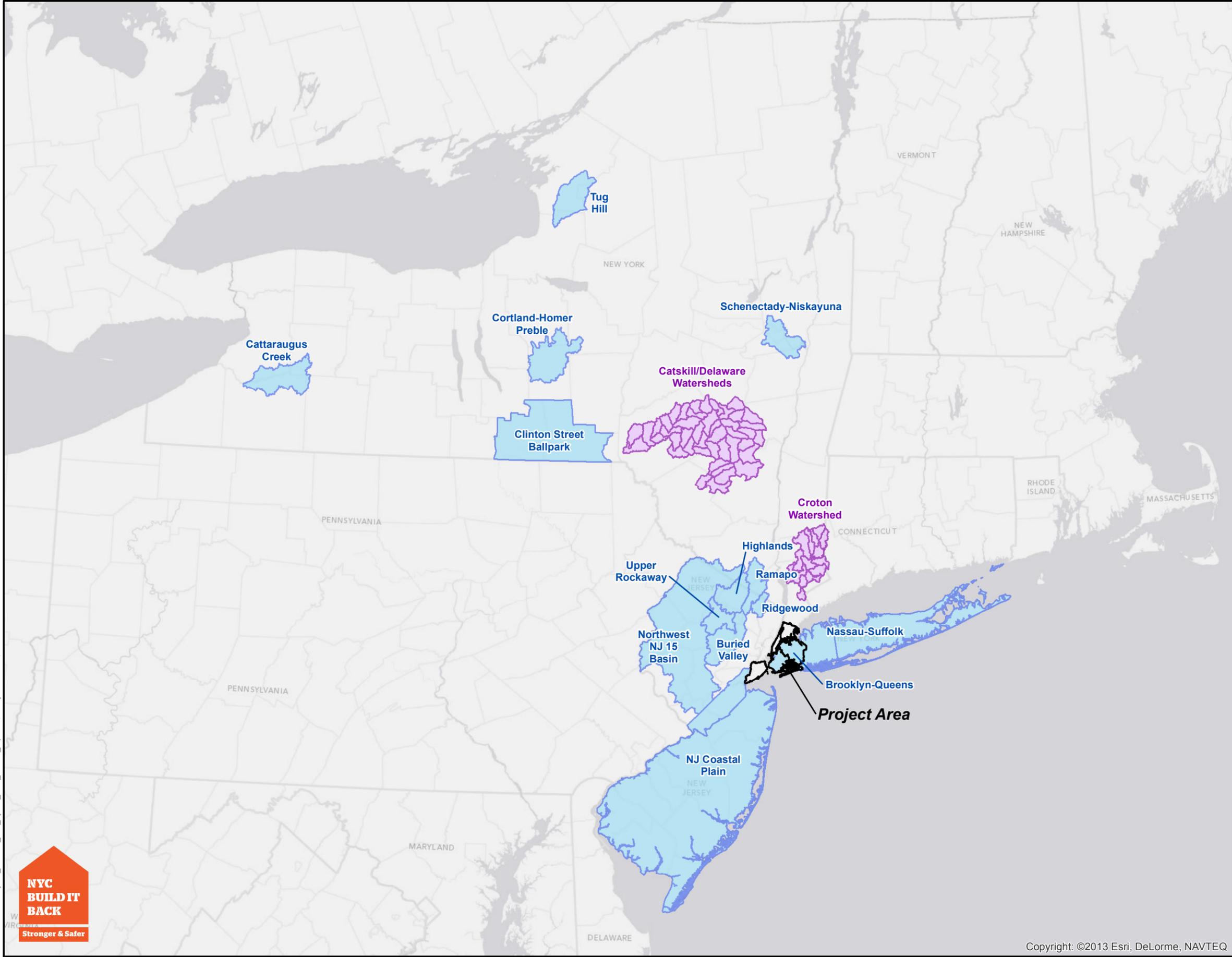
*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**5-2**

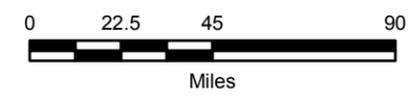
**PROXIMITY OF NYCHA  
PUBLIC HOUSING PROJECTS  
TO CBRA SYSTEMS**





**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Sole Source Aquifers for NY and NJ  
*US Environmental Protection Agency Region 2 (Sep 2007)*
-  NYC Water Supply Watersheds  
*NYC DEP and US Geologic Survey (Feb 2012)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**6-1**

**SOLE SOURCE AQUIFERS  
IN NEW YORK STATE**



**Table 7-1  
Federally-Listed Rare, Threatened, and Endangered Species, Including Species of Concern, with Occurrence in New York City**

Common Name	Scientific Name	Federal Status	State Status	Habitat <sup>3,4</sup>	Global Rank <sup>1,2</sup>	State Rank <sup>1,2</sup>	County Listed <sup>6</sup>
<u>BIRDS</u>							
Piping Plover	<i>Charadrius melodus</i>	LE, LT	E	BS, MV	G3	S3B	Q
Roseate Tern	<i>Sterna dougallii</i>	LE	E	SS, BI, MV	G4	S1B	None
Redknot	<i>Calidris canutus</i>	C		B	G4		Q
<u>FISHES</u>							
Atlantic Sturgeon <sup>5</sup>	<i>Acipenser oxyrinchus</i>	LE	PNOS	RI, M	G3	S1	NY
Shortnose Sturgeon <sup>5</sup>	<i>Acipenser brevirostrum</i>	LE	E	RI, M	G3	S1	B, NY
<u>MAMMALS</u>							
New England Cottontail	<i>Sylvilagus transitionalis</i>	C	SC	SS, WL, ES	G3	S1S2	None
<u>BEETLES</u>							
American Burying Beetle	<i>Nicrophorus americanus</i>	E	E	WFG, AG	G2G3	SH	None
Northeastern Beach Tiger Beetle	<i>Cicindela dorsalis dorsalis</i>	T	T	BS	G4T2	SX	None
<u>BUTTERFLIES AND MOTHS</u>							
Karner Blue	<i>Plebejus melissa samuelis</i>	E	E	SS, ES, F	G5T2	S1	None
<u>PLANTS</u>							
Seabeach Amaranth	<i>Amaranthus pumilus</i>	T	T	BS	G2	S2	Q
Sandplain Gerardia	<i>Agalinis acuta</i>	E		SS, FO	G1	N/A	None
Swamp Pink	<i>Helonias bullata</i>	T		F, WL, S	G3	SX	None

**Notes**

"Status" headings = identifies Federal or State conservation status, or Species of Concern (SC); see below.  
 "Habitat" heading = identifies known or preferred species habitats, see right.  
 Blank cells under "Status" headings = rare or sensitive species of conservation concern, but with no regulatory listing status.

**Key to Habitat types**

F = Forest  
 G = Grassland  
 AG = Agricultural  
 SS = Sandy soils  
 ST = Streams  
 RI = Rivers  
 ES = Early successional  
 B = Beach sand  
 BI = Barrier islands  
 M = Marine  
 MV = Minimal vegetation  
 WL = Wetlands  
 FO = Forest openings  
 WFG = Woodland, Forest, Grassland Mosaic  
 NIG = Native and Introduced Grasses

**County Codes**

B = Bronx County  
 NY = New York County  
 K = Kings County  
 Q = Queens County  
 R = Richmond County

**Key to Global and State Ranking System**

G# = Global Rank  
 S# = State Rank  
 T# = Intraspecific Taxa (subspecies) Rank  
 G1 or S1 = Critically Imperiled  
 G2 or S2 = Imperiled  
 G3 or S2 = Vulnerable  
 G4 or S4 = Apparently Secure  
 G5 or S5 = Secure  
 G#G# = Variant Rank - Global

**Key to Status Listings**

S#S# = Variant Rank - State  
 T#T# = Variant Intraspecific Taxa Rank  
 NA = Not applicable  
 B = Breeding  
 N = Non-breeding  
 SU = Unrankable in State  
 TU = Intraspecific Taxa Unrankable  
 SH = Possibly Extirpated  
 SX = Presumed Extirpated  
 LE = Listed Endangered (Federal)  
 E = Endangered (State)  
 LT = Listed Threatened (Federal)  
 PNOS = Protected, No Open Season (State)  
 T = Threatened (State)  
 SC = Species of Concern  
 C = Candidate (Federal)

**References**

<sup>1</sup>New York State Department of Environmental Conservation, 2009, *Nature Explorer A Gateway to New York's Biodiversity*, April 25 (updated), Multiple New York State databases, <<http://www.dec.ny.gov/natureexplorer/app/>>  
<sup>2</sup>U.S. Fish and Wildlife Service, 2013, *List of Species by County for New York State (Bronx, Kings, New York, Queens, Richmond Counties)*, April 25 (updated), Database, <[http://ecos.fws.gov/tess\\_public/pub/stateListingAndOccurrenceIndividual.jsp?state=NY&s8fid=112761032792&s8fid=112762573902](http://ecos.fws.gov/tess_public/pub/stateListingAndOccurrenceIndividual.jsp?state=NY&s8fid=112761032792&s8fid=112762573902)>  
<sup>3</sup>New York State Department of Environmental Conservation, 2013, *Biodiversity and Species Conservation Endangered Species*, April 25 (updated), List of Endangered, Threatened and Special Concern Fish & Wildlife Species of New York State, <<http://www.dec.ny.gov/animals/7494.html>>  
<sup>4</sup>NatureServe Explorer, 2012, *Plants and Animals*, (updated April 25) <<http://www.natureserve.org/explorer/servlet/NatureServe?init=Species>>  
<sup>5</sup> Under the jurisdiction of the National Oceanic and Atmospheric Administration  
<sup>6</sup> Personal communication with Mr. Steven Papa, US Fish and Wildlife Service (species are extirpated from the five-county region (New York City))

Table 7-2

## State-Listed Rare, Threatened, and Endangered Species, Including Species of Concern, with Occurrence in New York City

Source: New York Natural Heritage Program, 2013

Common Name	Scientific Name	Federal Status	State Status	Habitat <sup>3,4</sup>	Global Rank <sup>1,2</sup>	State Rank <sup>1,2</sup>	County Listed <sup>1,2</sup>
<u>AMPHIBIANS</u>							
Southern Leopard Frog	<i>Lithobates sphenoccephalus</i>		SC	FWL, VP	G5	S1S2	R
<u>BIRDS</u>							
Barn Owl	<i>Tyto alba</i>		PB	N, NIG	G5	S1S2	B, K, Q, R
Black Skimmer	<i>Rynchops niger</i>		SC	CW, B, N	G5	S2	Q
Cattle Egret	<i>Bubulcus ibis</i>		PB	BR, WL, AG, G	G5	S2	B, K, R
Chuck-will's-widow	<i>Antrostomus carolinensis</i>		PB	F, FO	G5	S1B	R
Common Tern	<i>Sterna hirundo</i>		T	F, FO	G5	S3B	K, NY, Q
Forster's Tern	<i>Sterna forsteri</i>		PB	CW, R, B, MV	G5	S1	Q
Glossy Ibis	<i>Plegadis falcinellus</i>		PB	CW, WL	G5	S2	B, K, R
Laughing Gull	<i>Leucophaeus atricilla</i>		PB	CW, TSM	G5	S1	Q
Least Bittern	<i>Ixobrychus exilis</i>		T	TSM	G5	S3B,S1N	K, Q, R
Least Tern	<i>Sternula antillarum</i>		T	CW, B	G4	S3B	Q
Little Blue Heron	<i>Egretta caerulea</i>		PB	TSM, FWL, ST	G5	S2	B, K, R
Northern Harrier	<i>Circus cyaneus</i>		T	TSM, G, SB	G5	S3B,S3N	K, Q
Peregrine Falcon	<i>Falco peregrinus</i>		E	RC, N	G4	S3B	B, K, NY, Q, R
Pied-billed Grebe	<i>Podilymbus podiceps</i>		T	FM, MV, ST	G5	S3B,S1N	K, Q, R
Piping Plover	<i>Charadrius melodus</i>	T	E	CW, TSM, MV, BS	G3	S3B	B, Q
Roseate Tern	<i>Sterna dougallii</i>	E	E	SS, BI, MV	G4	S1B	Q
Short-eared Owl	<i>Asio flammeus</i>		E	G, TSM, FM	G5	S2	K, Q
Snowy Egret	<i>Egretta thula</i>		PB	TSM, B	G5	S2S3	B, K, R
Tricolored Heron	<i>Egretta tricolor</i>		PB	CW, TSM, BI	G5	S2	K, R
Upland Sandpiper	<i>Bartramia longicauda</i>		T	G	G5	S3B	Q
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>		PB	TSM, SB	G5	S2	B, K, Q, R
<u>BUTTERFLIES</u>							
Checkered White	<i>Pontia protodice</i>		SC	B, MV, D	G4	S1	Q
<u>DRAGONFLIES AND DAMSELFLIES</u>							
Little Bluet	<i>Enallagma minusculum</i>		T	CP, P	G4	S1	Q
<u>FISH</u>							
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	E	E	BR, RI, ST	G3	S1	B, NY, R
<u>REPTILES</u>							
Fence Lizard	<i>Sceloporus undulatus</i>		T	HF, G, R	G5	S1	R

Table 7-2

## State-Listed Rare, Threatened, and Endangered Species, Including Species of Concern, with Occurrence in New York City

Source: New York Natural Heritage Program, 2013

Common Name	Scientific Name	Federal Status	State Status	Habitat <sup>3,4</sup>	Global Rank <sup>1,2</sup>	State Rank <sup>1,2</sup>	County Listed <sup>1,2</sup>
VASCULAR PLANTS							
American Strawberry-bush	<i>Euonymus americanus</i>		E	HS	G5	S1	R
Angled Spikerush	<i>Eleocharis quadrangulata</i>		E	TPC	G4	S1	R
Blunt Mountain-mint	<i>Pycnanthemum muticum</i>		T	HS, TPC	G5	S2S3	R
Coast Flatsedge	<i>Cyperus polystachyos var. texensis</i>		E	TSM, TPC	G5T5	S1S2	Q
Cut-leaved Evening-primrose	<i>Oenothera laciniata</i>		E	G, SS	G5	S1	Q
Downy Carrion-flower	<i>Smilax pulverulenta</i>		E	HS, HF	G4G5	S1	R
Dune Sandspur	<i>Cenchrus tribuloides</i>		T	B, DN, G	G5	S2	K, Q, R
Dwarf Hawthorn	<i>Crataegus uniflora</i>		E	HF, SS	G5	S1	R
False Lettuce	<i>Lactuca floridana</i>		E	HF	G5	S1	B
Featherfoil	<i>Hottonia inflata</i>		T	VP, SP	G4	S2	R
Field Beadgrass	<i>Paspalum laeve</i>		E	SS, G	G4G5	S1	B
Fringed Boneset	<i>Eupatorium torreyanum</i>		T	TSM, DN, G	G5T4T5	S2	Q, R
Globose Flatsedge	<i>Cyperus echinatus</i>		E	HF, TSM, G	G5	S1	B, R
Great Plains Flatsedge	<i>Cyperus lupulinus ssp. lupulinus</i>		T	AG, B	G5T5?	S2	R
Green Milkweed	<i>Asclepias viridiflora</i>		T	R, G	G5	S2	R
Nantucket Juneberry	<i>Amelanchier nantucketensis</i>		E	SS, G, CF, DN	G3Q	S1	R
Narrow-leaf Sea-blite	<i>Suaeda linearis</i>		E	TSM, B, DN	G5	S1	Q
Northern Gama Grass	<i>Tripsacum dactyloides</i>		T	TSM, G, DN, HF	G5	S2	B, Q, R
Oakes' Evening-primrose	<i>Oenothera oakesiana</i>		T	SS, DN, MF	G4G5Q	S2	Q, R
Pale Duckweed	<i>Lemna valdiviana</i>		E	P, ST, RI	G5	S1	Q
Persimmon	<i>Diospyros virginiana</i>		T	CP, HS, HF	G5	S2	B, R
Possum-haw	<i>Viburnum nudum var. nudum</i>		E	CP, HS	G5T5	S1	R
Primrose-leaf Violet	<i>Viola primulifolia</i>		T	HS, CP, SS	G5	S2	R
Purple Milkweed	<i>Asclepias purpurascens</i>		T	G, WL, WM	G5?	S2S3	B
Red Pigweed	<i>Chenopodium rubrum</i>		T	CP, B, DN	G5	S2	K
Retorse Flatsedge	<i>Cyperus retrorsus var. retrorsus</i>		E	DN, G, SB, M	G5T5	S1	K, Q
Roland's Sea-blite	<i>Suaeda rolandii</i>		E	TSM	G1G2	S1	K, Q
Rose-pink	<i>Sabatia angularis</i>		E	SB, HF	G5	S1	R
Rough Rush-grass	<i>Sporobolus clandestinus</i>		E	N/A	G5	S1	Q
Saltmarsh Aster	<i>Symphotrichum subulatum var. subulatum</i>		T	BR, TSM, SB, P	G5T5	S2	Q
Schweinitz's Flatsedge	<i>Cyperus schweinitzii</i>		R	HS, WM, FWL	G5	S3	K, Q
Scirpus-like Rush	<i>Juncus scirpoides</i>		E	M, SB, DN, WL	G5	S1	Q, R
Seabeach Amaranth	<i>Amaranthus pumilus</i>	T	T	B	G2	S2	Q
Seabeach Knotweed	<i>Polygonum glaucum</i>		R	M, TSM, B, DN	G3	S3	K, Q
Seaside Bulrush	<i>Bolboschoenus maritimus ssp. paludosus</i>		T	BR, DN, WM, TSM	G5	S2	Q
Short-fruit Rush	<i>Juncus brachycarpus</i>		E	FM	G4G5	S1	B
Side-oats Grama	<i>Bouteloua curtipendula var. curtipendula</i>		E	CA, R	G5T5	S1	Q

**Table 7-2**  
**State-Listed Rare, Threatened, and Endangered Species, Including Species of Concern, with Occurrence in New York City**

Source: *New York Natural Heritage Program, 2013*

Common Name	Scientific Name	Federal Status	State Status	Habitat <sup>3,4</sup>	Global Rank <sup>1,2</sup>	State Rank <sup>1,2</sup>	County Listed <sup>1,2</sup>
Slender Blue Flag	<i>Iris prismatica</i>		T	BR, CW, TSM, G	G4G5	S2	B
Slender Spikerush	<i>Eleocharis tenuis</i> var. <i>pseudoptera</i>		E	CP, G	G5T5	S1	B
Southern Dodder	<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i>		E	FM	G5T4T5	S1	R
Swamp Cottonwood	<i>Populus heterophylla</i>		T	HS, FM	G5	S2	R
Sweetbay Magnolia	<i>Magnolia virginiana</i>		E	HS	G5	S1	R
Thicket Sedge	<i>Carex abscondita</i>		E	HF, SB	G4G5	S1	R
Trinerved White Boneset	<i>Eupatorium album</i> var. <i>subvenosum</i>		T	CP, MF, G	G5T4	S2S3	R
Virginia Pine	<i>Pinus virginiana</i>		E	HF, MF	G5	S1	R
White-bracted Boneset	<i>Eupatorium leucolepis</i> var. <i>leucolepis</i>		E	CP, P	G5T5	S1	R
Wild Pink	<i>Silene caroliniana</i> ssp. <i>pensylvanica</i>		T	M, G, HF, MF	G5T4T5	S2	B
Willow Oak	<i>Quercus phellos</i>		E	HF, HS, G, M	G5	S1	Q, R
Yellow Flatsedge	<i>Cyperus flavescens</i>		E	CP, TSM	G5	S1	K, Q
Yellow Giant-hyssop	<i>Agastache nepetoides</i>		T	HF, CA	G5	S2S3	B, Q, R

"Status" headings = identifies Federal or State conservation status, or Species of Concern (SC); see below.

"Habitat" heading = identifies known or preferred species habitats, see right.

Blank cells under "Status" headings = rare or sensitive species of conservation concern, but with no regulatory listing status.

**County Codes**

B = Bronx County  
 NY = New York County  
 K = Kings County  
 Q = Queens County  
 R = Richmond County

**Key to Global and State Ranking System**

G# = Global Rank      G#G# = Variant Rank - Global  
 S# = State Rank      S#S# = Variant Rank - State  
 T# = Intraspecific Taxa (subspecies) Rank      T#T# = Variant Intraspecific Taxa Rank  
 G1 or S1 = Critically Imperiled  
 G2 or S2 = Imperiled  
 G3 or S2 = Vulnerable  
 G4 or S4 = Apparently Secure  
 G5 or S5 = Secure  
 B = Breeding  
 N = Non-breeding  
 SU = Unrankable in State  
 TU = Intraspecific Taxa Unrankable  
 SH = Possibly Extirpated  
 SX = Presumed Extirpated

**Key to Status Listings**

LE = Listed Endangered (Federal)  
 E = Endangered (State)  
 LT = Listed Threatened (Federal)  
 PNOS = Protected, No Open Season (State)  
 T = Threatened (State)  
 SC = Species of Concern  
 C = Candidate (Federal)

**Key to Habitat types**

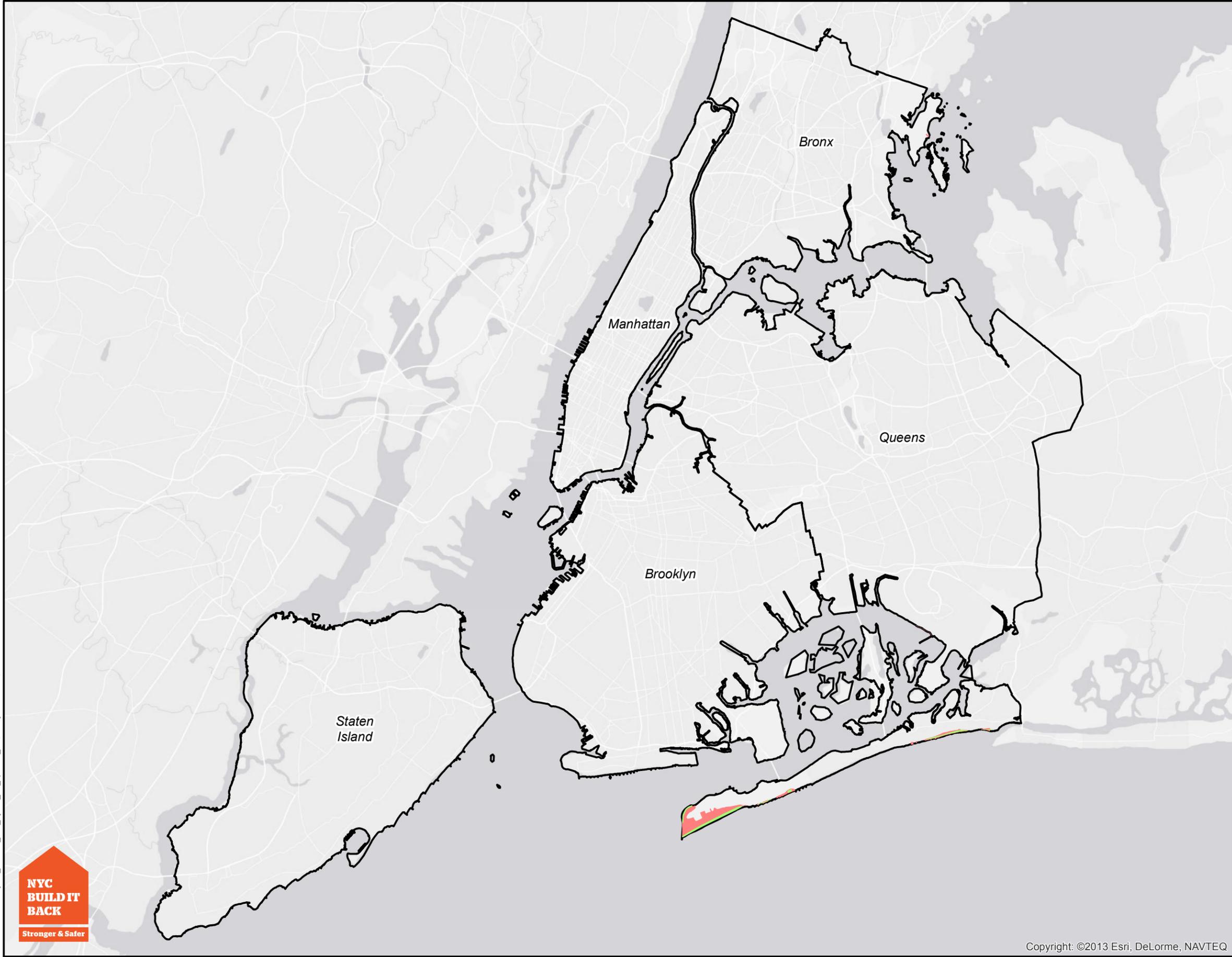
G = grassland      CW = coastal waters      P = ponds  
 AG = agricultural      SB = scrub shrub      NIG = native and introduced grasses  
 SS = sandy soils      RC = rocky cliffs      ES = early successional  
 ST = streams      DN = dunes      MV = minimal vegetation  
 RI = rivers      VP = vernal pools      FWL = freshwater wetlands  
 B = beach sand      CF = conifer forest      TSM = tidal salt marsh  
 BI = barrier islands      HF = hardwood forest      FM = freshwater marsh  
 M = marine      MF = mixed forest      HS = hardwood swamps  
 V = vernal pools      CP = coastal plain      TPC = tidal pools & creeks  
 N = nests      WM = wet meadow      F = forest  
 D = disturbed      BR = brackish      FO = forest openings  
 R = rock outcrops      CA = calcareous      NA = not available

<sup>1</sup>New York State Department of Environmental Conservation, 2009, *Nature Explorer A Gateway to New York's Biodiversity*, April 25 (updated), Multiple New York State databases, <<http://www.dec.ny.gov/natureexplorer/app/>>

<sup>2</sup>U.S. Fish and Wildlife Service, 2013, *List of Species by County for New York State (Bronx, Kings, New York, Queens, Richmond Counties)*, April 25 (updated), Database, <[http://ecos.fws.gov/tess\\_public/pub/stateListingAndOccurrenceIndividual.jsp?state=NY&s8fid=112761032792&s8fid=112762573902](http://ecos.fws.gov/tess_public/pub/stateListingAndOccurrenceIndividual.jsp?state=NY&s8fid=112761032792&s8fid=112762573902)>

<sup>3</sup>New York State Department of Environmental Conservation, 2013, *Biodiversity and Species Conservation Endangered Species*, April 25 (updated), List of Endangered, Threatened and Special Concern Fish & Wildlife Species of New York State, <<http://www.dec.ny.gov/animals/7494.html>>

<sup>4</sup>NatureServe Explorer, 2012, *Plants and Animals*, (updated April 25) <<http://www.natureserve.org/explorer/servlet/NatureServe?init=Species>>



**Legend**

 New York City Boroughs  
NYC Dept. of City Planning (March 2013)

**RTE Group Name**

 Birds  
 Vascular Plants  
New York Natural Heritage Program,  
New York State Department of  
Environmental Conservation, May 2013,  
Biodiversity Databases, Element Occurrence  
Digital Data Set, Albany, New York



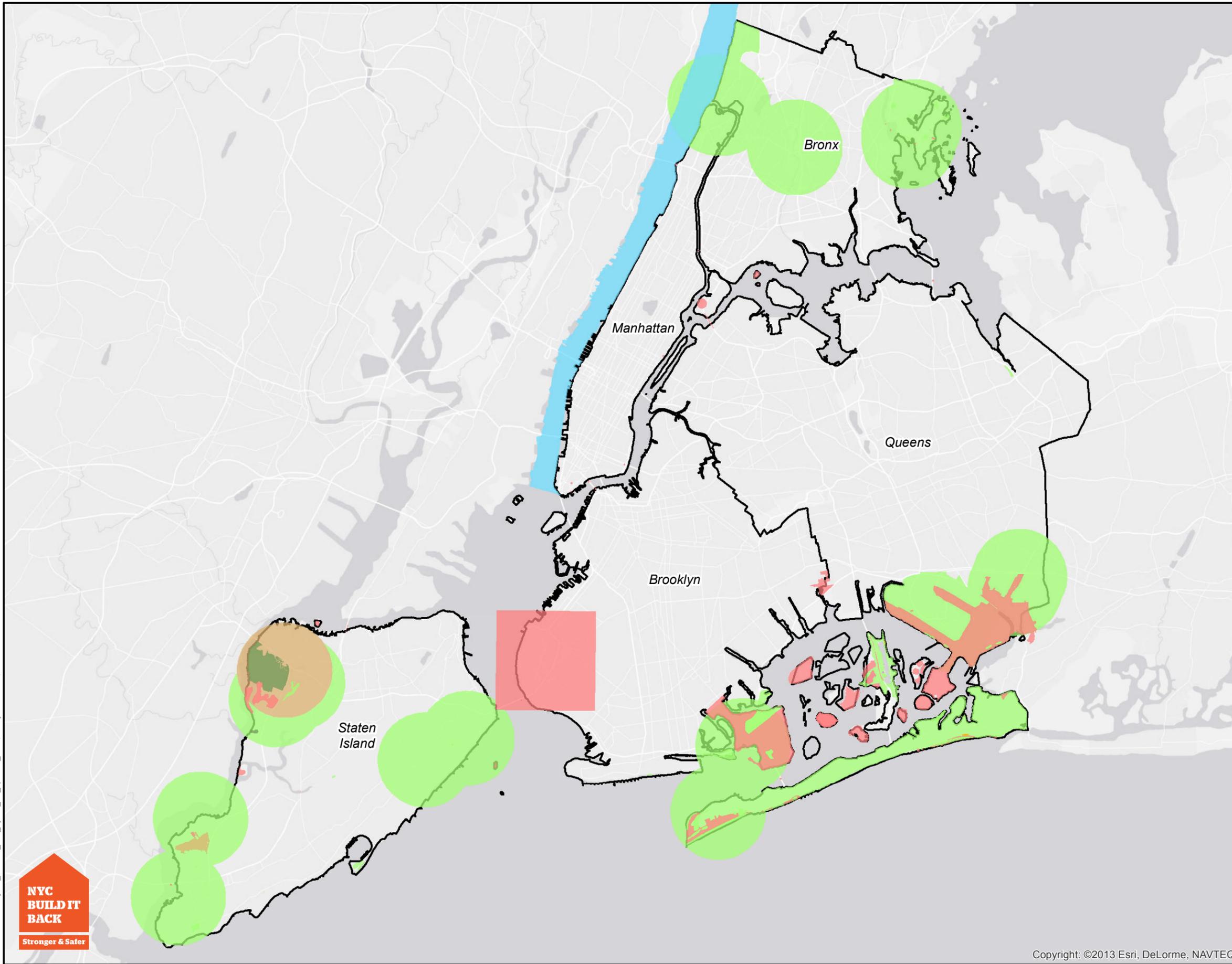
*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**7-1**

**FEDERAL CRITICAL HABITAT  
FOR RARE, THREATENED, AND  
ENDANGERED SPECIES  
IN NEW YORK CITY**





**Legend**

☒ New York City Boroughs  
NYC Dept. of City Planning (March 2013)

**RTE Group Name**

-  Amphibians
-  Birds
-  Butterflies
-  Dragonflies and Damselflies
-  Fish
-  Reptiles
-  Vascular Plants

New York Natural Heritage Program,  
New York State Department of  
Environmental Conservation, May 2013,  
Biodiversity Databases, Element Occurrence  
Digital Data Set, Albany, New York



Reference:  
The source of each feature is displayed beneath each feature in the legend.

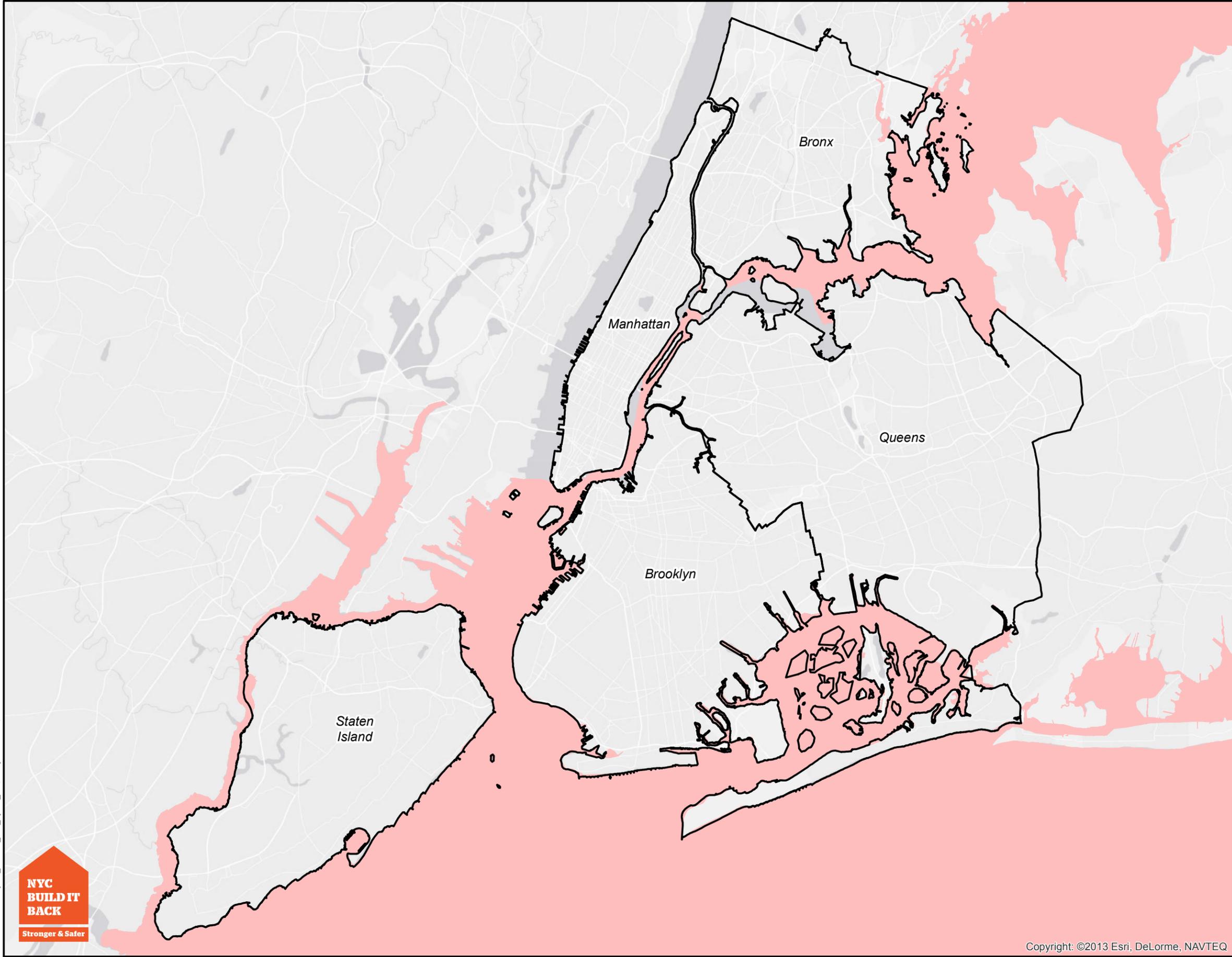
TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**7-2**

**STATE CRITICAL HABITAT  
FOR RARE, THREATENED, AND  
ENDANGERED SPECIES  
IN NEW YORK CITY**

**NYC** Housing  
Recovery





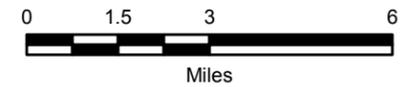
**Legend**

-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
-  Essential Fish Habitats  
NOAA Fisheries, Office of Habitat Conservation,  
Habitat Protection Division (June 2013)

Note:  
Essential Fish Habitats are designated as areas where fishing or the use of fishing gears has been restricted or modified in order to minimize the adverse effects of fishing on EFH, as required by Section 303(a)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA).

The species directly linked to the MSFCMA are: Atlantic Herring, Monkfish, Pollock, Red Hake, Silver Hake, Window Pane Flounder, and Winter Flounder.

The other species not directly linked to the MSFCMA are: Clearnose Juvenile and Adult, Little Skate Juvenile and Adult, and Winter Skate Juvenile and Adult.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

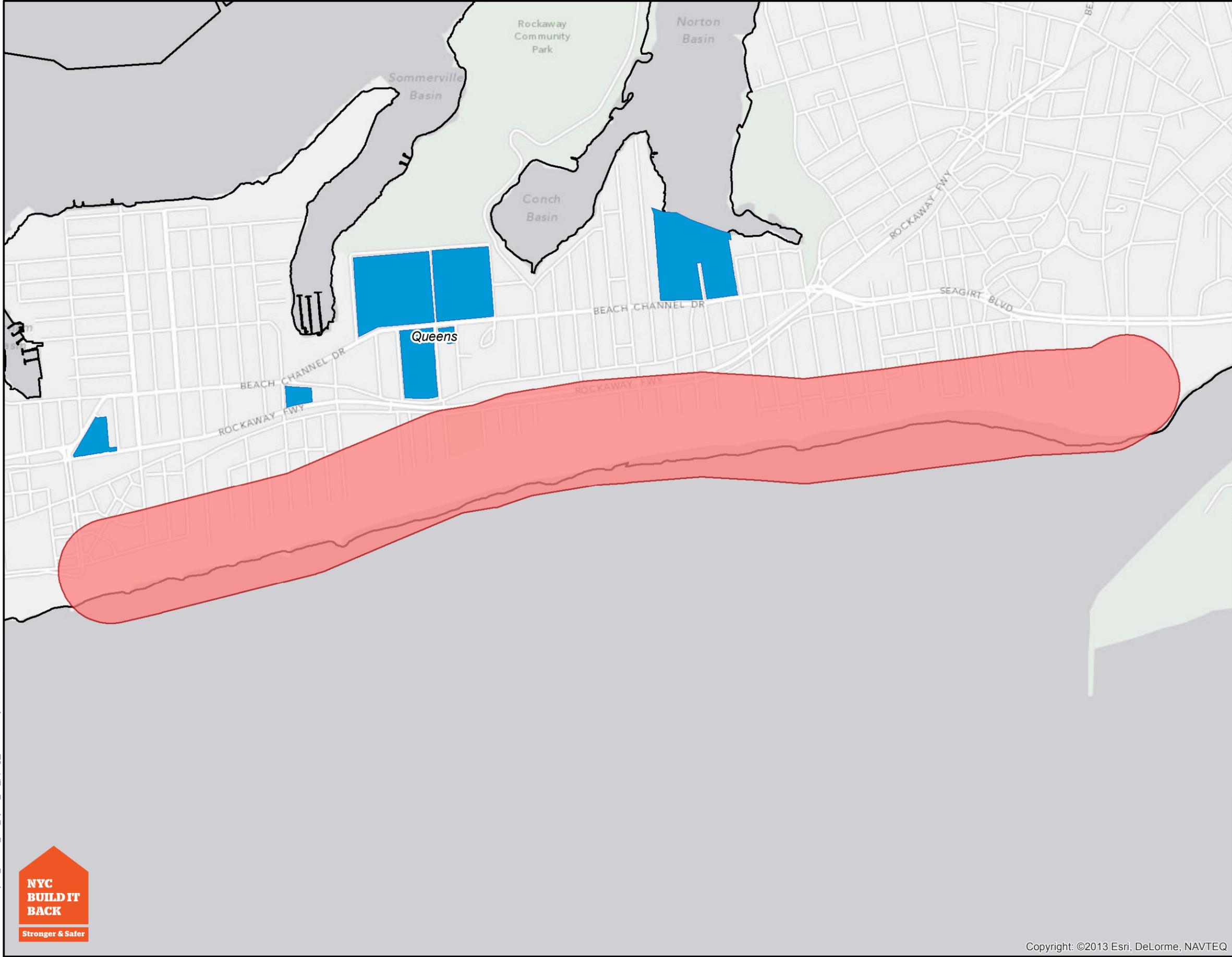
TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**7-3** **ESSENTIAL FISH HABITATS SURROUNDING NEW YORK CITY**

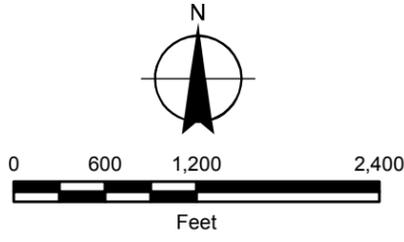


**NYC  
BUILD IT  
BACK**

Stronger & Safer



- Legend**
-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
  -  NYCHA Public Housing Facilities  
NYCHA (July 2011)
  -  Potential Piping Plover Habitat (Buffered)



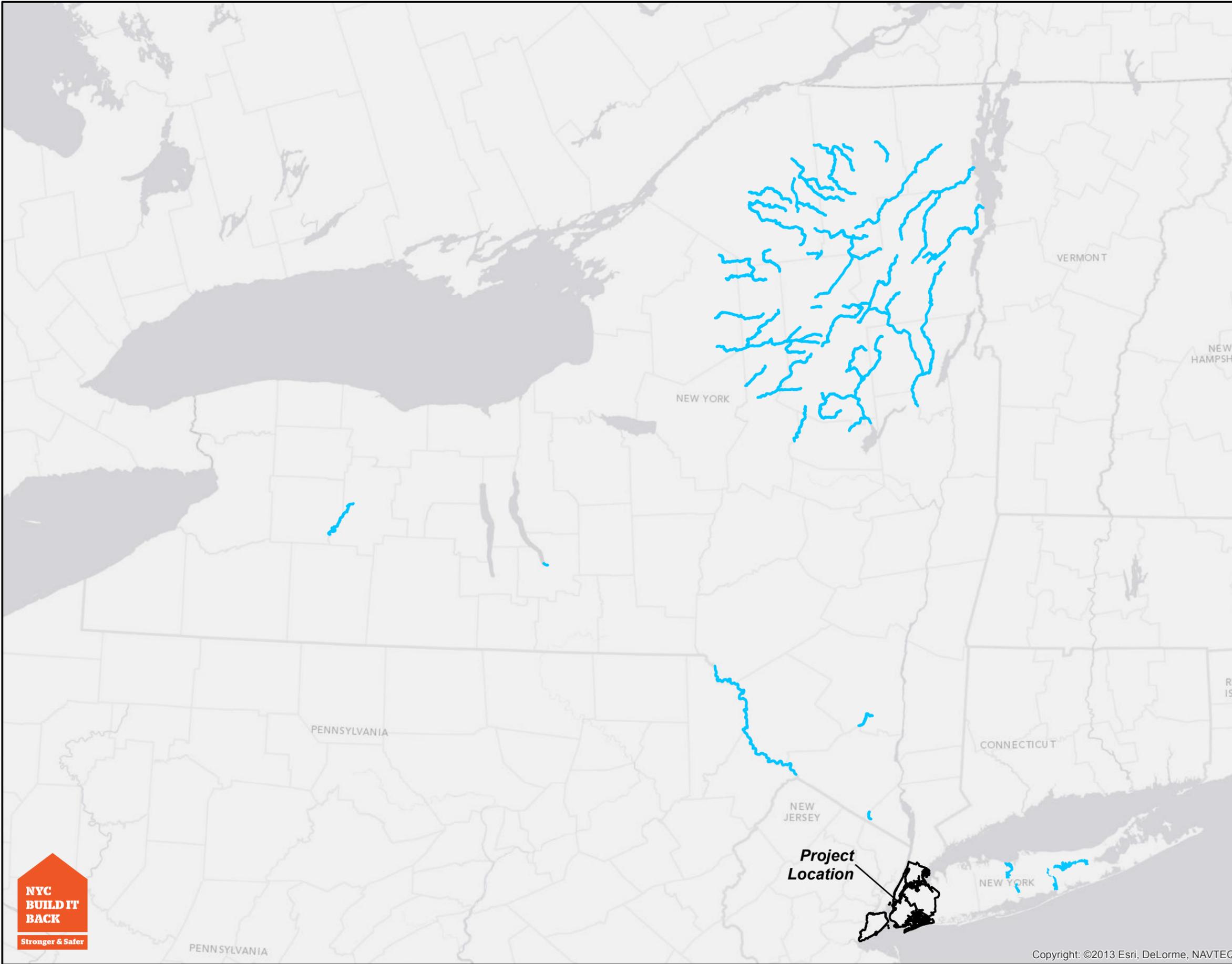
*Reference:*  
USFWS Consultation, June 11, 2013;  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**7-4**

**PROXIMITY OF NYCHA  
PUBLIC HOUSING PROJECTS  
TO RTES POTENTIAL HABITAT**

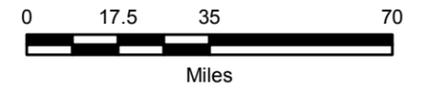




**Legend**

 New York City Boroughs  
NYC Dept. of City Planning (March 2013)

 Wild and Scenic Rivers  
NYS Dept. of Environmental Conservation (April 2013)



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

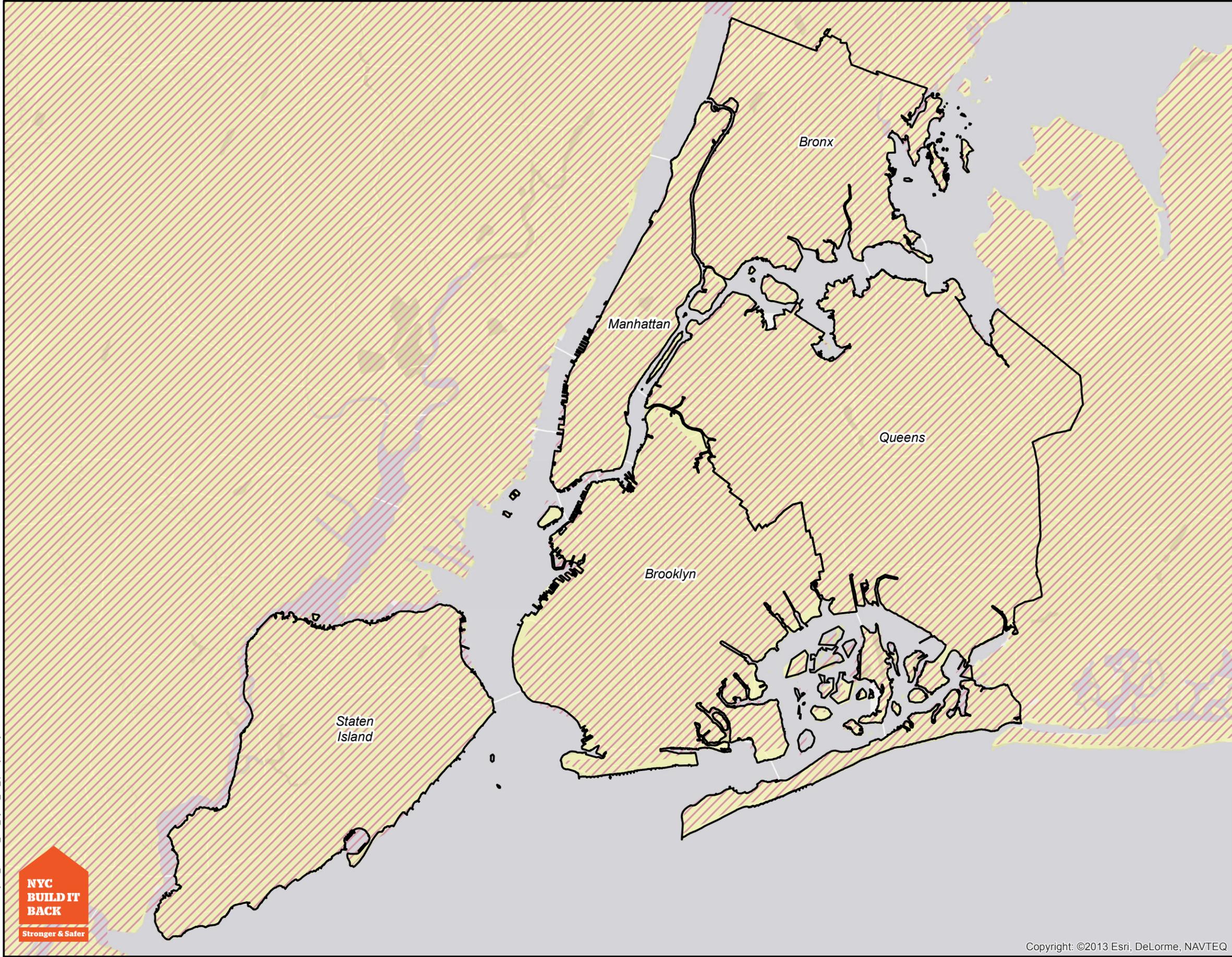
FIGURE  
NUMBER  
**8-1**

**WILD AND SCENIC RIVERS  
IN NEW YORK STATE**

**NYC  
BUILD IT  
BACK**

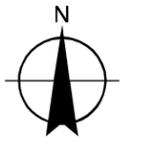
Stronger & Safer

**NYC** Housing  
Recovery



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  PM-2.5 Nonattainment Areas (2006 Std)  
*US Environmental Protection Agency (2009)*
-  Ozone Nonattainment Areas (2008 Std)  
*US Environmental Protection Agency (June 2012)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**9-1**

**AIR QUALITY  
IN NEW YORK CITY**

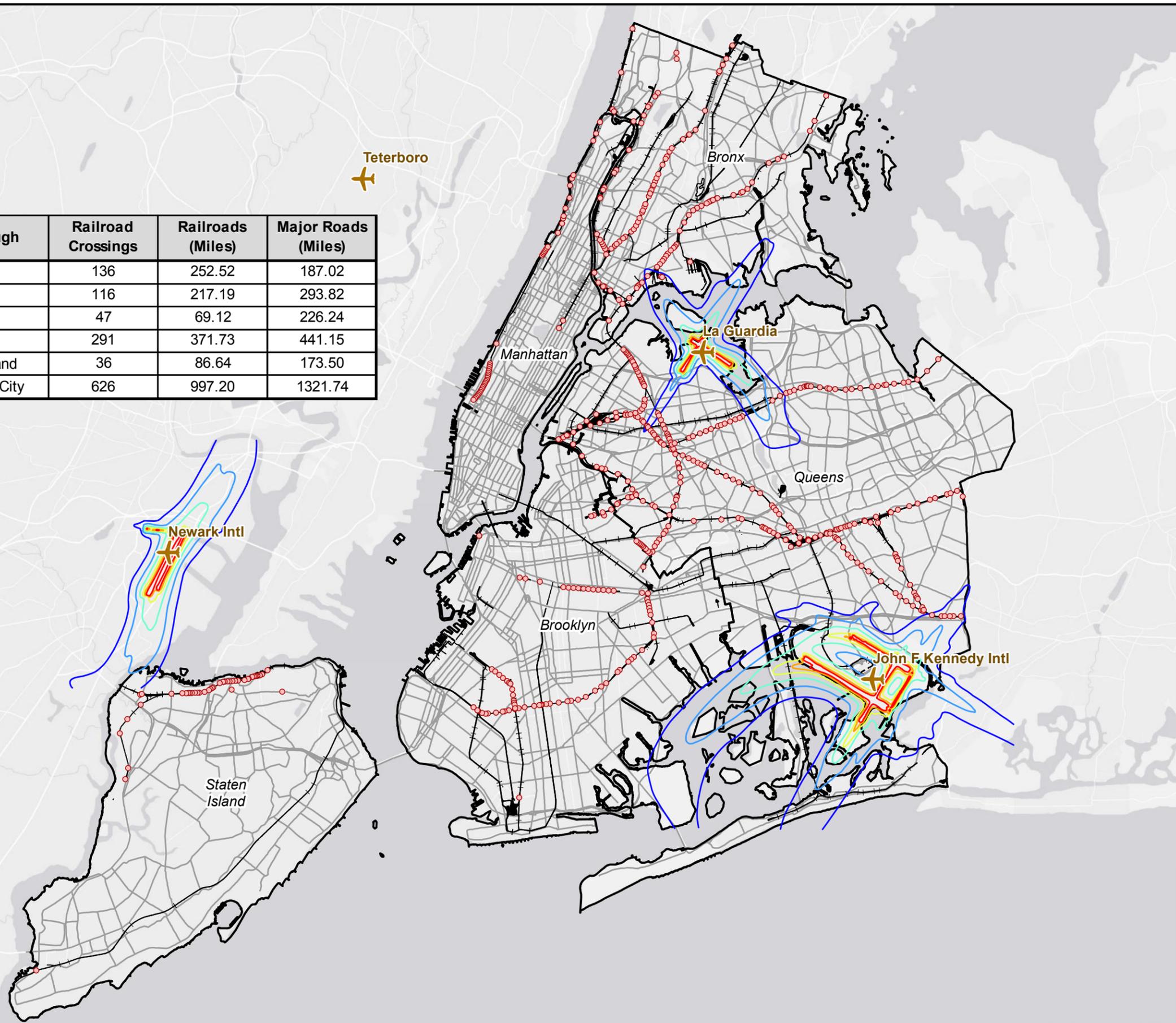


**NYC  
BUILD IT  
BACK**

Stronger & Safer

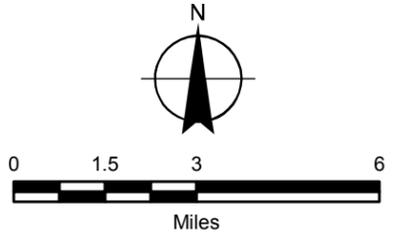


Borough	Railroad Crossings	Railroads (Miles)	Major Roads (Miles)
Bronx	136	252.52	187.02
Brooklyn	116	217.19	293.82
Manhattan	47	69.12	226.24
Queens	291	371.73	441.15
Staten Island	36	86.64	173.50
New York City	626	997.20	1321.74



**Legend**

- New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- Airports  
*ESRI/Tele Atlas North America, Inc. (June 2010)*
- Railroad Crossings  
*Federal Railroad Administration (Feb 2013)*
- Railroads  
*NYC DOITT (2008)*
- Major Roads  
*ESRI/Tele Atlas North America, Inc. (June 2010)*
- Airport Noise Contours**
  - 60 DNL
  - 65 DNL
  - 70 DNL
  - 75 DNL
  - 80 DNL
  - 85 DNL  
*Federal Aviation Administration (2003)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

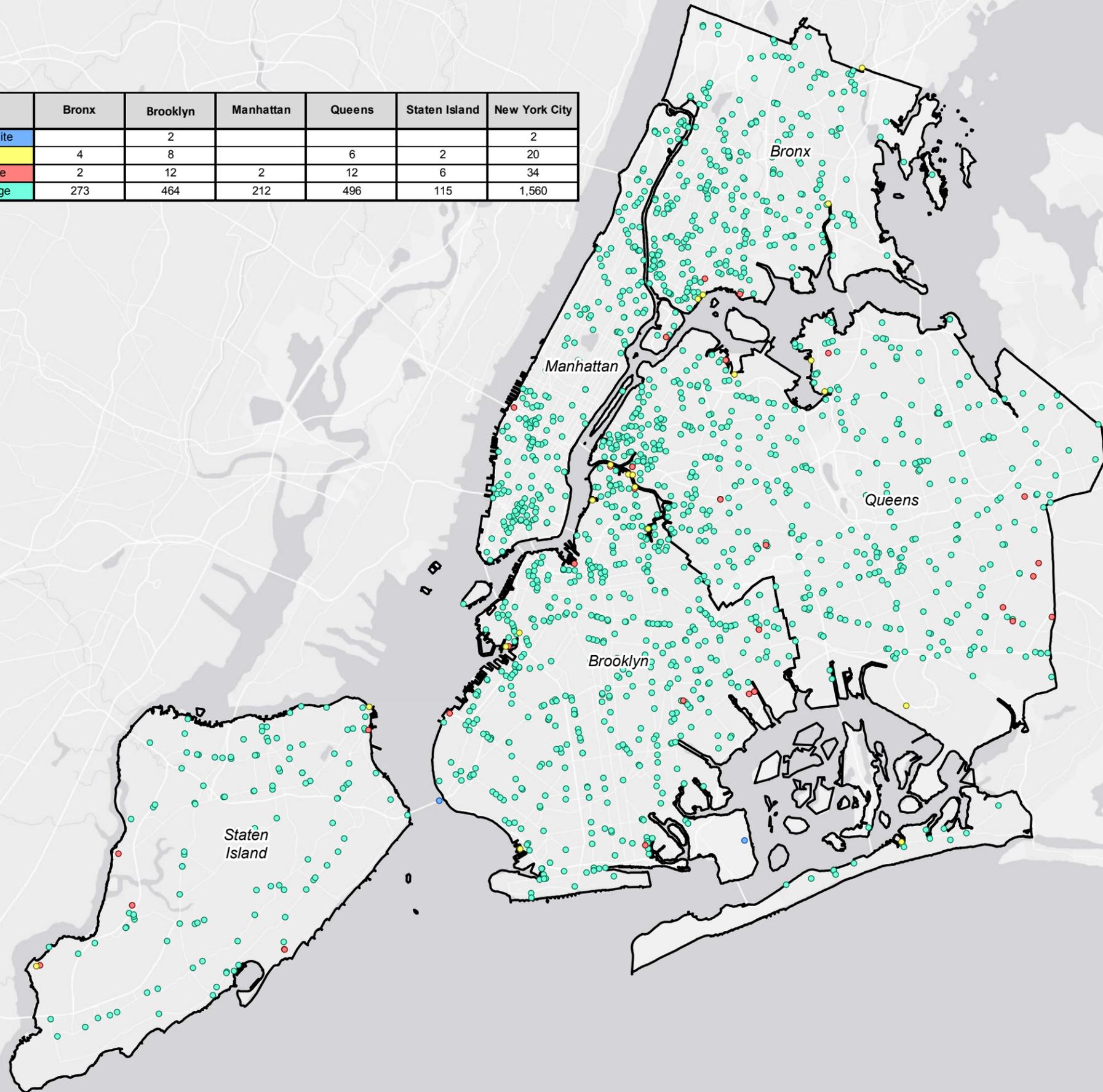
TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**10-1**

**MAJOR NOISE SOURCES  
IN NEW YORK CITY**



Facility Type	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Formerly Used DoD Site		2				2
Major Oil Storage	4	8		6	2	20
Chemical Bulk Storage	2	12	2	12	6	34
Petroleum Bulk Storage	273	464	212	496	115	1,560

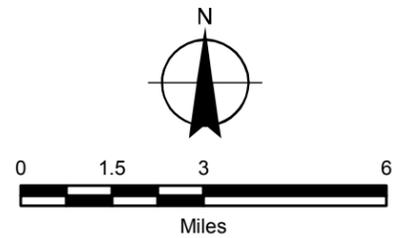


**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Formerly Used DoD Sites  
*US Army Corps of Engineers*
- Bulk Storage Facility Program Type**
-  Major Oil Storage
-  Chemical Bulk Storage
-  Petroleum Bulk Storage  
*NYS Dept. of Env. Conservation (July 2010)*

Note:  
Bulk storage facilities include Chemical Distributors, Manufacturing (Other than Chemical)/Processing, Municipality (Incl. Waste Water Treatment Plants, Utilities, Swimming Pools, etc.), Retail Gasoline Stations, and Storage Terminal/Petroleum Distributors. All facilities displayed on this map are Active sites.

This figure displays sites as identified by the New York State Department of Environmental Conservation and the US Army Corps of Engineers. Some unknown facilities may exist that are not shown on this figure.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**11-1**

**EXPLOSIVE AND  
FLAMMABLE OPERATIONS  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

**NYC  
BUILD IT  
BACK**

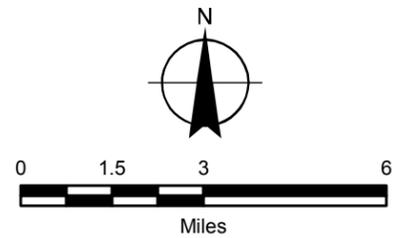
Stronger & Safer

Facility Type	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
SSTS Pesticide Producer	5	9		10	1	25
Toxic Release Inventory Facility	28	103	14	86	5	236
RCRA TSD				3		3
RCRA LQG	145	435	293	280	76	1,229
Radiation/Radioactivity Facility			1	1		2
Superfund Site	4	36	3	30	8	81
Municipal Landfill (Active)				1	1	2
Municipal Landfill (Not Active)	1				1	2

**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- EPA/NYS Regulated Facilities**
-  SSTS Pesticide Producer
-  Toxic Release Inventory Facility
-  RCRA TSD
-  RCRA LQG
-  Radiation/Radioactivity Facility
-  Superfund Site
-  Municipal Landfill (Active)
-  Municipal Landfill (Not Active)  
*US Env. Protection Agency (March 2013);  
NYS Dept. of Env. Conservation (July 2010)*

**Note:**  
This figure displays sites as identified by the US Environmental Protection Agency and the New York State Department of Environmental Conservation. Some unknown facilities may exist that are not shown on this figure.



**Reference:**  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**12-1**

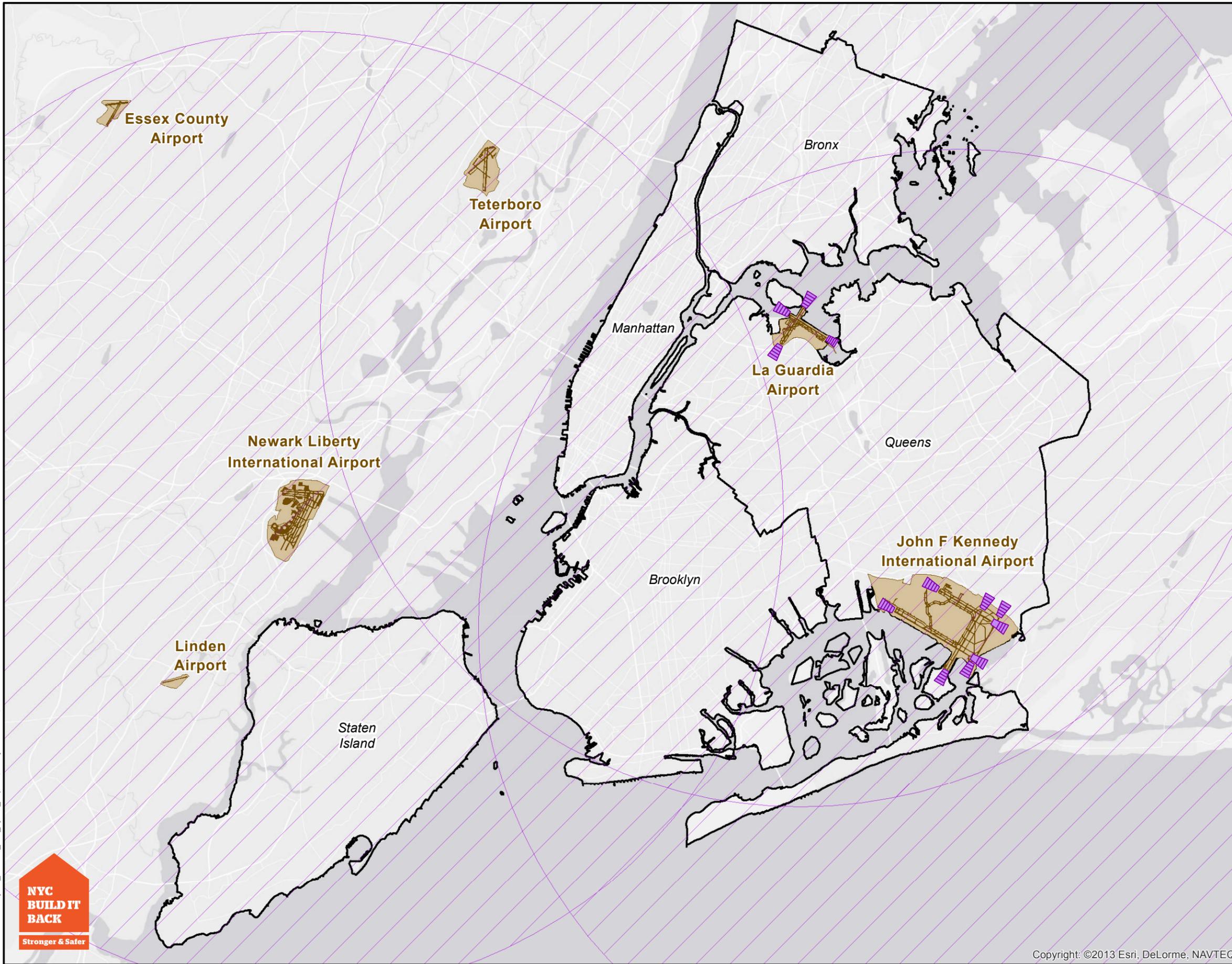
**TOXIC AND  
RADIOACTIVE OPERATIONS  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

**NYC  
BUILD IT  
BACK**

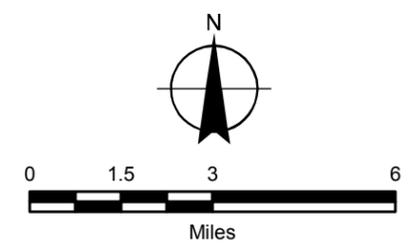
Stronger & Safer

Document Name: nycer\_149831\_054\_nycha\_airports; Analyst: ben.holt; Date: 6/25/2013 1:38:27 PM



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Runway Clear Zones  
*Federal Aviation Administration (July 2002)*
-  15-Mile Buffer of Airports
- Airports**
-  Airport Runway
-  Airport Area  
*Tele Atlas North America, Inc and ESRI (June 2010)*



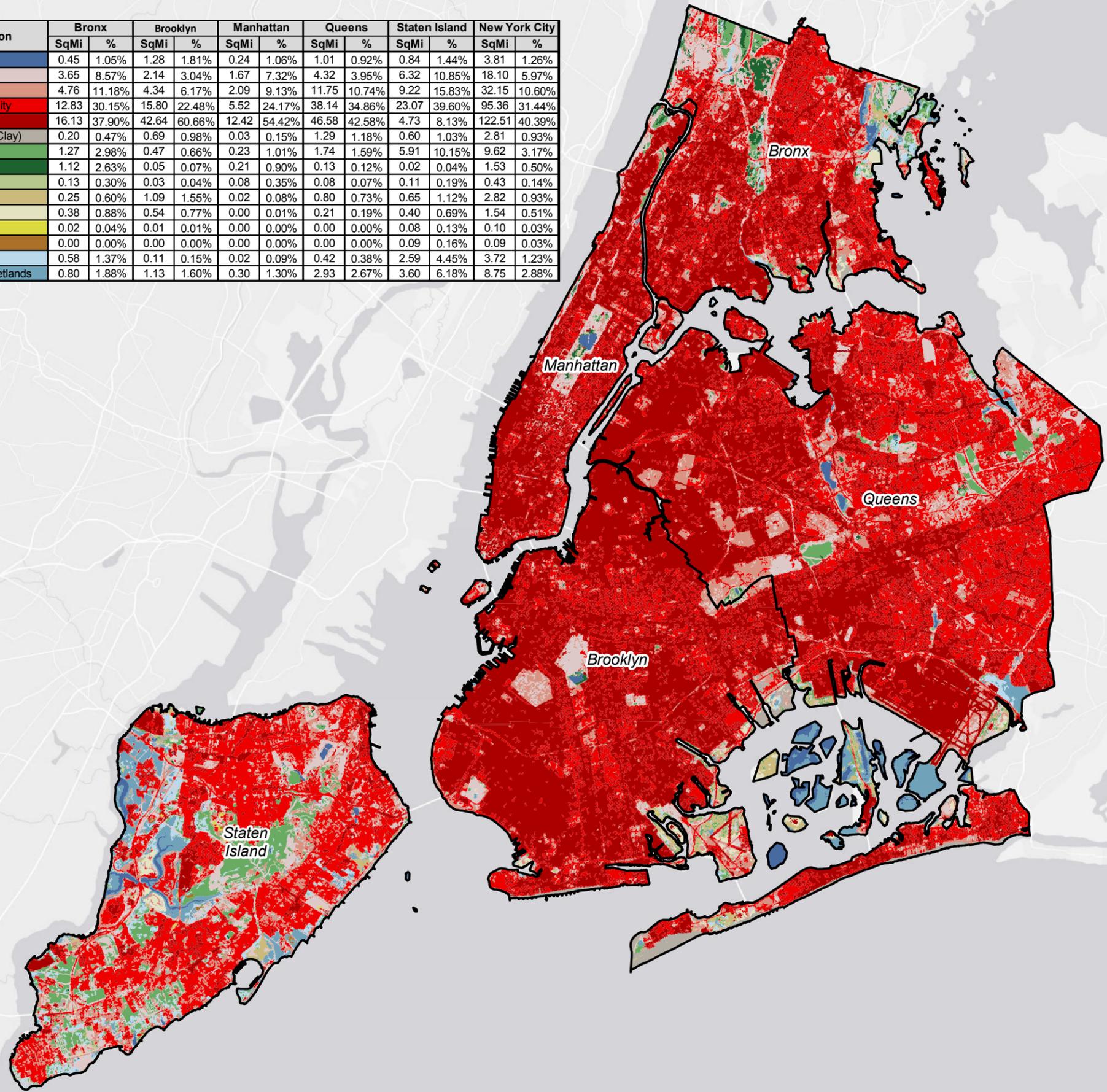
*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER	<b>AIRPORTS IN NEW YORK CITY</b>
<b>13-1</b>	



NLCD Classification	Bronx		Brooklyn		Manhattan		Queens		Staten Island		New York City	
	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%
Open Water	0.45	1.05%	1.28	1.81%	0.24	1.06%	1.01	0.92%	0.84	1.44%	3.81	1.26%
Developed, Open Space	3.65	8.57%	2.14	3.04%	1.67	7.32%	4.32	3.95%	6.32	10.85%	18.10	5.97%
Developed, Low Intensity	4.76	11.18%	4.34	6.17%	2.09	9.13%	11.75	10.74%	9.22	15.83%	32.15	10.60%
Developed, Medium Intensity	12.83	30.15%	15.80	22.48%	5.52	24.17%	38.14	34.86%	23.07	39.60%	95.36	31.44%
Developed, High Intensity	16.13	37.90%	42.64	60.66%	12.42	54.42%	46.58	42.58%	4.73	8.13%	122.51	40.39%
Barren Land (Rock/Sand/Clay)	0.20	0.47%	0.69	0.98%	0.03	0.15%	1.29	1.18%	0.60	1.03%	2.81	0.93%
Deciduous Forest	1.27	2.98%	0.47	0.66%	0.23	1.01%	1.74	1.59%	5.91	10.15%	9.62	3.17%
Evergreen Forest	1.12	2.63%	0.05	0.07%	0.21	0.90%	0.13	0.12%	0.02	0.04%	1.53	0.50%
Mixed Forest	0.13	0.30%	0.03	0.04%	0.08	0.35%	0.08	0.07%	0.11	0.19%	0.43	0.14%
Shrub/Scrub	0.25	0.60%	1.09	1.55%	0.02	0.08%	0.80	0.73%	0.65	1.12%	2.82	0.93%
Grassland/Herbaceous	0.38	0.88%	0.54	0.77%	0.00	0.01%	0.21	0.19%	0.40	0.69%	1.54	0.51%
Pasture/Hay	0.02	0.04%	0.01	0.01%	0.00	0.00%	0.00	0.00%	0.08	0.13%	0.10	0.03%
Cultivated Crops	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.09	0.16%	0.09	0.03%
Woody Wetlands	0.58	1.37%	0.11	0.15%	0.02	0.09%	0.42	0.38%	2.59	4.45%	3.72	1.23%
Emergent Herbaceous Wetlands	0.80	1.88%	1.13	1.60%	0.30	1.30%	2.93	2.67%	3.60	6.18%	8.75	2.88%

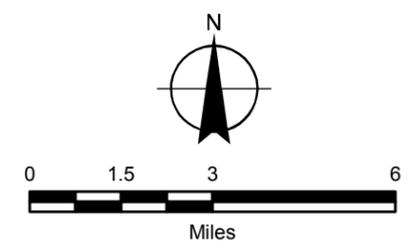


**Legend**

New York City Boroughs  
 NYC Dept. of City Planning (March 2013)

**National Land Cover Database - 2006**

- Open Water
- Developed, Open Space
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, High Intensity
- Barren Land (Rock/Sand/Clay)
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Scrub
- Grassland/Herbaceous
- Pasture/Hay
- Cultivated Crops
- Woody Wetlands
- Emergent Herbaceous Wetlands  
US Geological Survey (Feb 2011)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

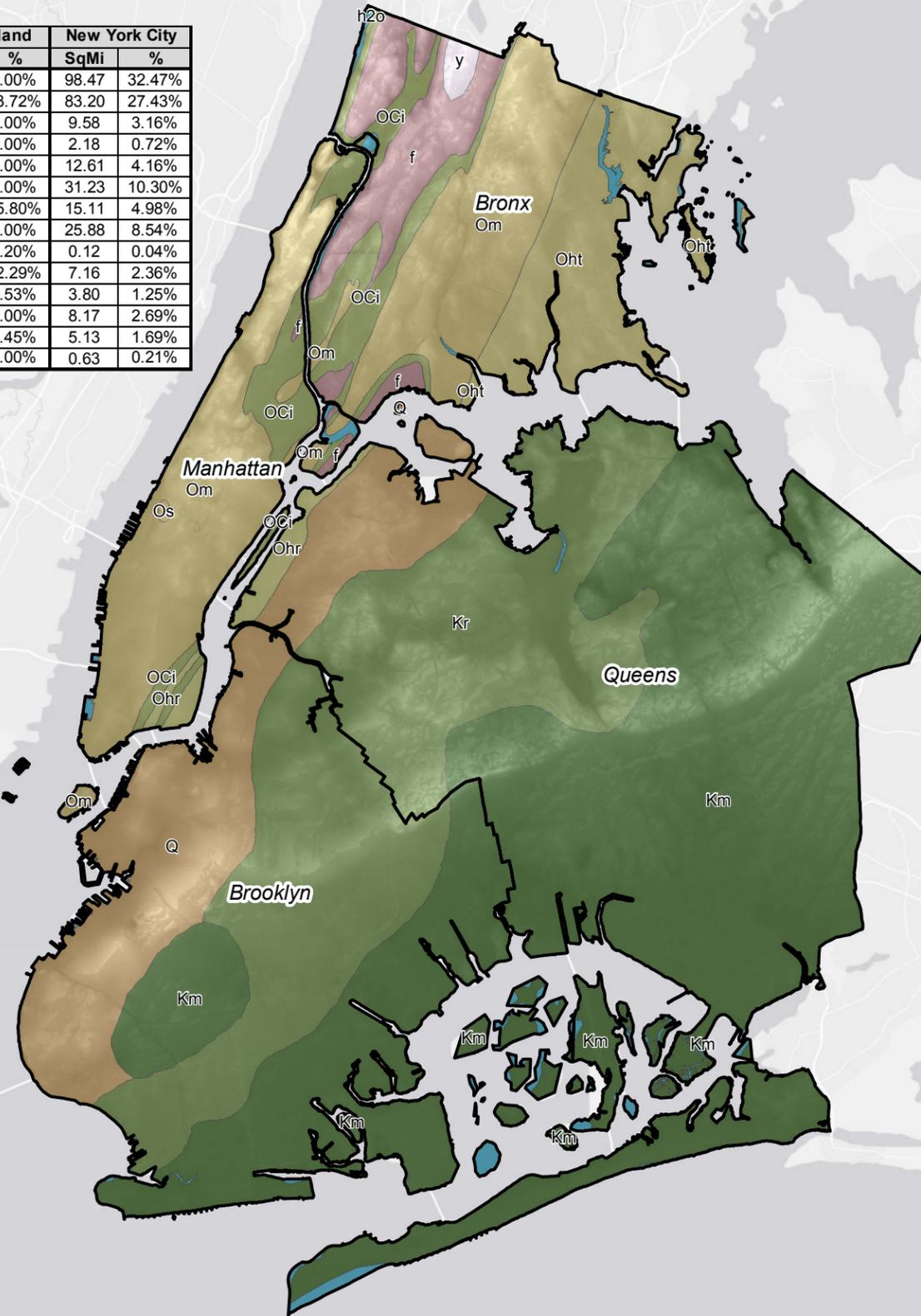
TIER I ENVIRONMENTAL REVIEW  
 COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
 HURRICANE SANDY DISASTER RECOVERY  
 NYC BUILD IT BACK:  
 NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**14-1**  
**VEGETATION AND LAND USE  
 IN NEW YORK CITY**



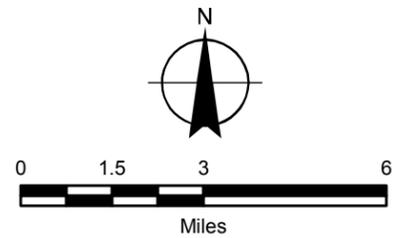
Map Unit Symbol	Bronx		Brooklyn		Manhattan		Queens		Staten Island		New York City	
	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%
Km		0.00%	27.38	38.96%		0.00%	71.09	64.98%		0.00%	98.47	32.47%
Kr		0.00%	23.81	33.88%		0.00%	28.10	25.68%	31.29	53.72%	83.20	27.43%
OCi	5.53	12.98%		0.00%	4.06	17.82%		0.00%		0.00%	9.58	3.16%
Ohr		0.00%	0.00	0.01%	0.75	3.31%	1.42	1.30%		0.00%	2.18	0.72%
Oht	12.61	29.63%		0.00%		0.00%		0.00%		0.00%	12.61	4.16%
Om	14.20	33.35%		0.00%	17.03	74.82%		0.00%		0.00%	31.23	10.30%
Os		0.00%		0.00%	0.08	0.37%		0.00%	15.03	25.80%	15.11	4.98%
Q	0.66	1.55%	17.97	25.57%	0.02	0.07%	7.24	6.62%		0.00%	25.88	8.54%
Trb		0.00%		0.00%		0.00%		0.00%	0.12	0.20%	0.12	0.04%
Trp		0.00%		0.00%		0.00%		0.00%	7.16	12.29%	7.16	2.36%
Trs		0.00%		0.00%		0.00%		0.00%	3.80	6.53%	3.80	1.25%
f	7.92	18.60%		0.00%	0.25	1.09%		0.00%		0.00%	8.17	2.69%
h2o	1.03	2.41%	1.12	1.59%	0.58	2.53%	1.56	1.43%	0.84	1.45%	5.13	1.69%
y	0.63	1.47%		0.00%		0.00%		0.00%		0.00%	0.63	0.21%

Map Unit Symbol	Map Unit Name	Unit Age
Km	Monmouth/Matawan Group and Magothy Formation	Upper Cretaceous
Kr	Raritan Formation	Upper Cretaceous
OCi	Inwood Marble	Early Cambrian - Lower Ordovician
Ohr	Harrison/Ravenswood Gneiss	Ordovician?
Oht	Hartland Formation	Ordovician?
Om	Manhattan Formation, undivided	Ordovician?
Os	Serpentinite	Lower Ordovician
Q	Glacial and Alluvial Deposits	Quaternary
Trb	Brunswick Formation, undivided	Upper Triassic
Trp	Palisade Diabase	Early Jurassic
Trs	Stockton Formation	Upper Triassic
f	Fordham Gneiss, undivided	Precambrian - Middle Proterozoic
h2o	Water	Holocene
y	Yonkers Gneiss	Middle Proterozoic



**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- Geology Map Unit Symbol (Name)**
- Km (Monmouth/Matawan Group and Magothy Formation)
- Kr (Raritan Formation)
- OCi (Inwood Marble)
- Ohr (Harrison/Ravenswood Gneiss)
- Oht (Hartland Formation)
- Om (Manhattan Formation, undivided)
- Os (Serpentinite)
- Q (Glacial and Alluvial Deposits)
- Trb (Brunswick Formation, undivided)
- Trp (Palisade Diabase)
- Trs (Stockton Formation)
- f (Fordham Gneiss, undivided)
- h2o (Water)
- y (Yonkers Gneiss)  
US Geological Survey (2005)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

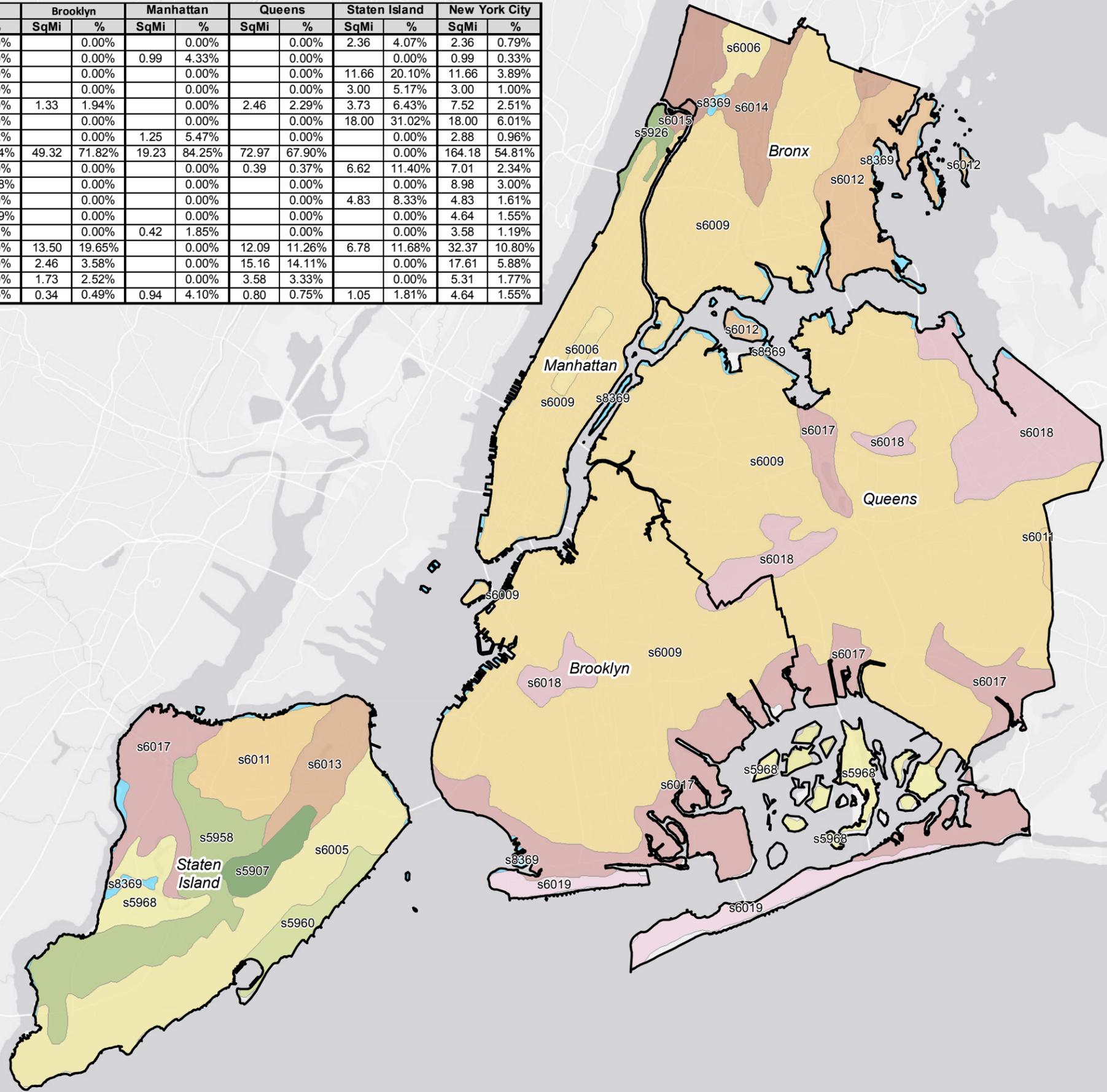
TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**15-1**  
GEOLOGY  
IN NEW YORK CITY

**NYC** Housing Recovery

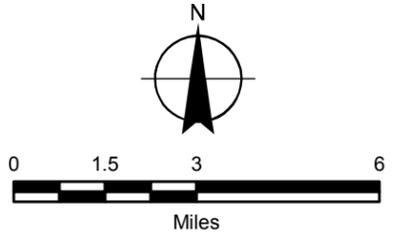


Map Unit Symbol	Bronx		Brooklyn		Manhattan		Queens		Staten Island		New York City	
	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%	SqMi	%
s5907		0.00%		0.00%		0.00%		0.00%	2.36	4.07%	2.36	0.79%
s5926		0.00%		0.00%	0.99	4.33%		0.00%		0.00%	0.99	0.33%
s5958		0.00%		0.00%		0.00%		0.00%	11.66	20.10%	11.66	3.89%
s5960		0.00%		0.00%		0.00%		0.00%	3.00	5.17%	3.00	1.00%
s5968		0.00%	1.33	1.94%		0.00%	2.46	2.29%	3.73	6.43%	7.52	2.51%
s6005		0.00%		0.00%		0.00%		0.00%	18.00	31.02%	18.00	6.01%
s6006	1.63	3.82%		0.00%	1.25	5.47%		0.00%		0.00%	2.88	0.96%
s6009	22.66	53.24%	49.32	71.82%	19.23	84.25%	72.97	67.90%		0.00%	164.18	54.81%
s6011		0.00%		0.00%		0.00%	0.39	0.37%	6.62	11.40%	7.01	2.34%
s6012	8.98	21.08%		0.00%		0.00%		0.00%		0.00%	8.98	3.00%
s6013		0.00%		0.00%		0.00%		0.00%	4.83	8.33%	4.83	1.61%
s6014	4.64	10.89%		0.00%		0.00%		0.00%		0.00%	4.64	1.55%
s6015	3.15	7.41%		0.00%	0.42	1.85%		0.00%		0.00%	3.58	1.19%
s6017		0.00%	13.50	19.65%		0.00%	12.09	11.26%	6.78	11.68%	32.37	10.80%
s6018		0.00%	2.46	3.58%		0.00%	15.16	14.11%		0.00%	17.61	5.88%
s6019		0.00%	1.73	2.52%		0.00%	3.58	3.33%		0.00%	5.31	1.77%
s8369	1.51	3.55%	0.34	0.49%	0.94	4.10%	0.80	0.75%	1.05	1.81%	4.64	1.55%



**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- State Soil Geographic Database - Map Unit**
- Wethersfield-Watchaug-Urban land (s5907)
- Wethersfield-Rock outcrop-Holyoke (s5926)
- Riverhead-Haven (s5958)
- Urban land-Udipsammts-Pawcatuck-Matunuck-Dune land-Beaches (s5960)
- Udipsammts-Pawcatuck-Ipswich (s5968)
- Nassau-Mardin-Bernardston (s6005)
- Hollis-Chatfield-Charlton (s6006)
- Urban land (s6009)
- Urban land-Riverhead (s6011)
- Urban land-Udorthents-Charlton (s6012)
- Wethersfield-Urban land-Holyoke (s6013)
- Urban land-Udorthents-Paxton (s6014)
- Urban land-Udorthents-Chatfield (s6015)
- Urban land-Udorthents-Sudbury (s6017)
- Urban land-Riverhead-Montauk (s6018)
- Urban land-Udorthents-Udipsammts-Beaches (s6019)
- Water (s8369)  
US Dept. of Agriculture, NRCS (July 2006)

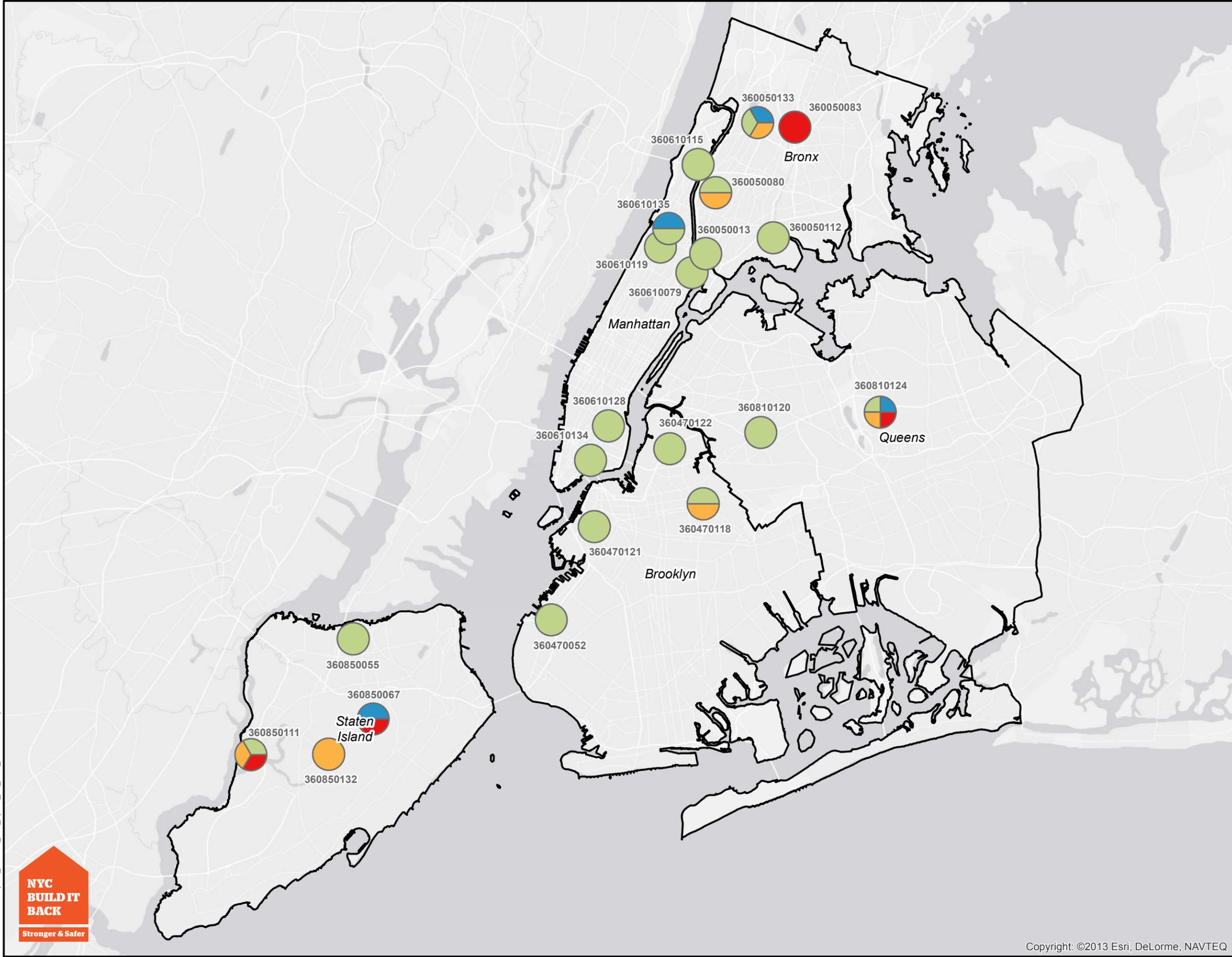


Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE NUMBER  
**16-1** SOIL SURVEY CLASSIFICATIONS  
IN NEW YORK CITY





**Legend**

New York City Boroughs  
NYC Dept. of City Planning (March 2013)

**Air Monitoring Stations**



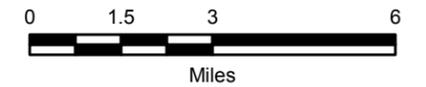
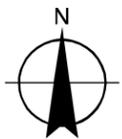
Blue: Ozone, SO2, NO2, CO, Acid Rain, Methane, PAMS

Green: PM2.5, PM10, Speciation

Orange: Lead, Metals, Toxics, Carbonyls, Chrome6

Red: MET, Precip, Wind

NYS DEC Division of Air Resources,  
Bureau of Air Quality Surveillance (April 2012)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**17-1**

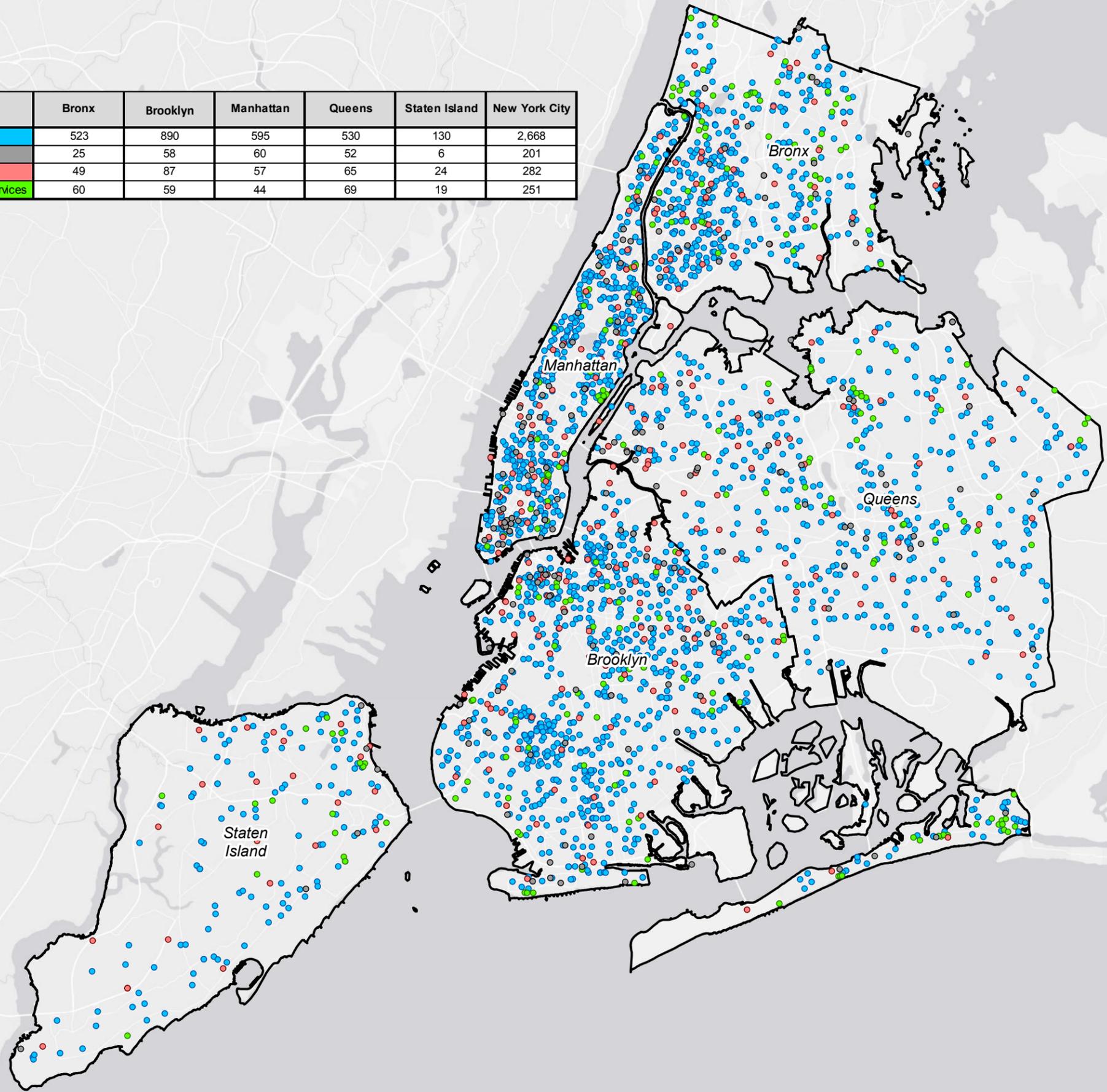
**AIR MONITORING STATIONS  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

**NYC  
BUILD IT  
BACK**

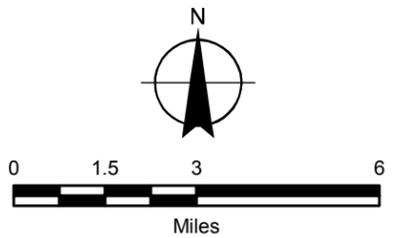
Stronger & Safer

Facility Type	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Education Facilities	523	890	595	530	130	2,668
Police/NYCHA Police	25	58	60	52	6	201
Fire Department	49	87	57	65	24	282
Residential Health Services	60	59	44	69	19	251



**Legend**

-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- Facility Type**
-  Education Facilities
-  Police/NYCHA Police
-  Fire Department
-  Residential Health Services  
NYC Dept. of City Planning (2012 Rev.1)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

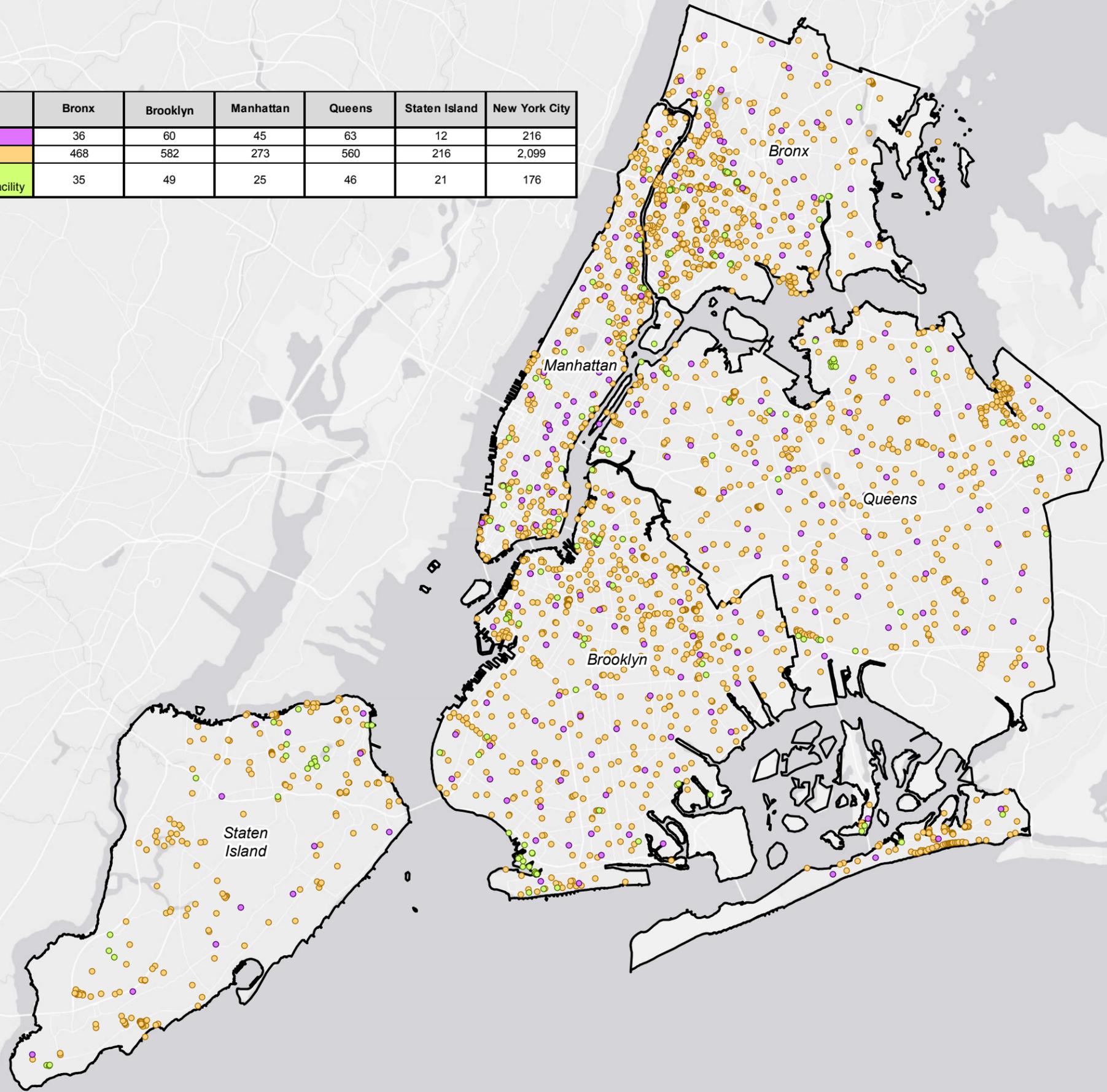
FIGURE  
NUMBER  
**18-1**

**PUBLIC SAFETY  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

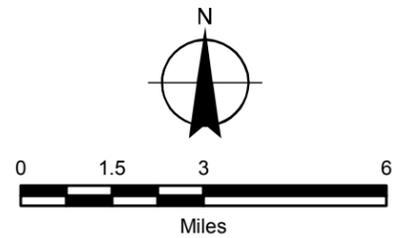


Facility Type	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Public Library	36	60	45	63	12	216
Park/Playground	468	582	273	560	216	2,099
Buildings/Institutions, Athletic/Recreation Facility	35	49	25	46	21	176



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
- Facility Type**
-  Public Library
-  Park/Playground
-  Buildings/Institutions,  
Athletic/Recreation Facility  
*NYC Dept. of City Planning (2012 Rev.1)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
HURRICANE SANDY DISASTER RECOVERY  
NYC BUILD IT BACK:  
NYCHA PUBLIC HOUSING REHABILITATION AND RESILIENCE

FIGURE  
NUMBER  
**19-1**

**RECREATION  
IN NEW YORK CITY**

**NYC** Housing  
Recovery

**NYC  
BUILD IT  
BACK**

Stronger & Safer

# **Appendix B**

## **Agency Consultations**

- 1 Historic Preservation**
- 2 Delaware Tribal Nation**
- 3 Shinnecock Indian Nation**
- 4 NYC Department of City Planning – Waterfront Revitalization Program**
- 5 NYC Department of Environmental Conservation**
- 6 State of NY Department of State Coastal Zone Management**
- 7 U.S. Fish and Wildlife Service**
- 8 U.S. Army Corps of Engineers**
- 9 U.S. Environmental Protection Agency**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICE,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

**WHEREAS**, the mission of the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards; and

**WHEREAS**, as a result of Hurricane Sandy (DR-4085-NY) (Disaster Declaration), FEMA proposes to administer Federal disaster assistance programs set forth in Appendix A (Programs), pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*) (Stafford Act); the National Flood Insurance Act of 1968, Pub. L. No. 90-448 (1968) (as amended); the Flood Disaster Protection Act of 1973, Pub. L. No. 93-234 (1973) (as amended); the National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325 (1994) (as amended); and implementing regulations contained in Title 44 of the Code of Federal Regulations (CFR).

**WHEREAS**, FEMA has determined that implementation of its Programs may result in Undertakings (as defined by 16 U.S.C. § 470w and 36 CFR § 800.16(y)) that may affect properties listed in or eligible for listing in the National Register of Historic Places (National Register) pursuant to 36 CFR Part 60 (historic properties), and FEMA has consulted with the New York State Historic Preservation Officer (SHPO), the New York State Office of Emergency Management (OEM), the New York City Landmarks Preservation Commission (LPC), the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans (Participating Tribe[s]) and the Advisory Council on Historic Preservation (ACHP) pursuant to Section 106 of the National Historic Preservation Act (NHPA), Pub. L. No. 89-665 (1966) (codified as amended at 16 U.S.C. § 470f) and Section 110 of NHPA (codified as amended at 16 U.S.C. §470h-2), and the Section 106 implementing regulations at 36 CFR Part 800; and

**WHEREAS**, FEMA, ACHP, and SHPO have determined that FEMA's Section 106 requirements can be more effectively and efficiently implemented and delays to the delivery of FEMA

assistance minimized if a programmatic approach is used to stipulate roles and responsibilities, exempt certain Undertakings from Section 106 review, establish protocols for consultation, facilitate identification and evaluation of historic properties, and streamline the assessment and resolution of adverse effects; and

**WHEREAS**, in order to implement its Programs, FEMA will provide assistance to the State of New York that may provide monies and other assistance to eligible subgrantees, and as such, the New York Office of Emergency Management (OEM) that is typically responsible for administering funds provided under these Programs, has participated in this consultation, and has been invited to enter into this Agreement as an invited signatory party; and

**WHEREAS**, LPC is the agency responsible for identifying and designating New York City's landmarks and historic districts, regulates changes to designated buildings, and by law, issues permits under the LPC law (Charter of the City of New York §§ 3020 et seq. and the Administrative Code of the City of New York §§25-301 et seq.) for LPC designated properties in the City of New York, and therefore any FEMA Undertaking affecting such a property shall require an LPC permit prior to commencement of work or demolitions, LPC has participated in this consultation and has been invited to enter into this Agreement as a concurring party; and

**WHEREAS**, FEMA has determined that its Programs may result in Undertakings with the potential to affect historic properties having religious and cultural significance to Indian Tribes, including sites that may contain human remains and/or associated cultural items; and

**WHEREAS**, FEMA recognizes that the Participating Tribe(s) may have sites of religious and cultural significance on or off Tribal lands, and in meeting its Federal trust responsibility, FEMA has engaged in government-to-government consultation with the Participating Tribe(s), and pursuant to 36 CFR § 800.2 (c)(2)(ii)(E) has invited the Participating Tribe(s) to enter into an agreement that specifies how FEMA and the Participating Tribe(s) will carry out Section 106 responsibilities, including the confidentiality of information. The agreement may grant the Participating Tribe(s) additional rights to participate or concur in FEMA decisions in the Section 106 review process beyond the ones outlined in 36 CFR Part 800; and

**WHEREAS**, notwithstanding the aforementioned invitation to enter into an agreement, FEMA has invited the Participating Tribe(s) to enter into this Agreement each as an invited signatory party to fulfill the requirements of Section 106; and

**WHEREAS**, FEMA may invite additional Tribes that may have sites of religious and cultural significance to enter into the terms of this Agreement; and

**WHEREAS**, FEMA may perform direct Undertakings in order to implement its Programs; and

**WHEREAS**, in anticipation or in the immediate aftermath of the Disaster Declaration, impacted communities in the State of New York and/or affected Tribe(s) may conduct critical preparedness and response and recovery activities to safeguard public health and safety and to restore vital community services and functions. Some of these activities may become Undertakings requiring

Section 106 review subject to the terms of this Agreement, and FEMA shall coordinate the appropriate review as warranted; and

**NOW, THEREFORE, FEMA, ACHP, SHPO, (as the signatories) OEM, Participating Tribe(s) (invited signatories), and LPC(concurring party) agree that the Programs in the State of New York shall be administered in accordance with the following Stipulations to satisfy FEMA's Section 106 responsibilities for all resulting Undertakings and effectively integrate historic preservation compliance considerations into the delivery of FEMA assistance. FEMA will not authorize implementation of an individual Undertaking until Section 106 review of the project is completed pursuant to this Agreement.**

## **STIPULATIONS**

To the extent of its legal authority, and in coordination with the other signatories, FEMA will require that the following measures be implemented:

### **I. GENERAL**

#### **A. Applicability**

1. This Agreement applies immediately for this Disaster Declaration after execution by all signatory parties and will remain in effect for the duration of the period that the Disaster Declaration remains open for FEMA funding.
2. For FEMA undertakings that also are within the jurisdiction of the Federal Communications Commission's (FCC) and within the scope of its Section 106 Programmatic Agreements for communication facilities, FEMA defers Section 106 review in accordance with the ACHP Program Comment of October 23, 2009. The approval of funding for the FEMA Undertaking will be conditioned on the compliance of the subgrantee with FCC's applicable Section 106 review, including any required consultation with affected Tribe(s). FEMA will notify the SHPO when it applies the ACHP Program Comment to an Undertaking.
3. Other Federal agencies providing financial assistance for the type of Program activities covered under the terms of this Agreement may, with the concurrence of ACHP, FEMA, SHPO satisfy their Section 106 responsibilities by accepting and complying with the terms of this Agreement. "Other Federal Agencies" may include municipalities providing funds and acting as the Responsible Entity pursuant to 24 CFR Part 58. In such situations, the Federal Agency shall notify FEMA, SHPO and ACHP and other consulting parties to the PA, including participating tribes in writing of their intent to use this Agreement to achieve compliance with Section 106 requirements, and consult with those agencies regarding its section 106 compliance. Resumes of staff that meet the Secretary's Professional Qualifications and will review Tier II projects will be included with the notification. The Federal agency may utilize this Agreement to satisfying its Section 106 responsibilities by executing the

Addendum included in Appendix D. The Agreement will be effective for the Federal agency on the date the Addendum is executed by SHPO, FEMA and ACHP.

4. This Agreement may apply to Undertakings involving multiple Federal agencies and where some or all of the Federal agencies involved in the Undertaking may designate FEMA as the lead Federal agency pursuant to 36 CFR § 800.2(a)(2) with appropriate notification to the ACHP. FEMA will act on the collective behalf of the agencies to fulfill all Section 106 responsibilities. Federal agencies that do not designate FEMA as the lead Federal agency will be responsible for doing a separate consultation pursuant to Section 106 and 36 CFR Part 800.
5. As a result of the Disaster Declaration, State, Tribal and local governments may lack the capability to perform or to contract for emergency work, and instead request that the work be accomplished by a Federal agency. Through a mission assignment (MA), FEMA may direct appropriate Federal agencies to perform the work. This Agreement will apply to such Federal assistance undertaken by or funded by FEMA pursuant to Titles IV and V of the Stafford Act and 44 CFR Part 206.
6. If SHPO has reviewed and approved an Undertaking submitted by a subgrantee that was the result of damage from Hurricane Sandy before FEMA has established an Undertaking for that same project, and FEMA confirms that the scope and effect [as defined by 36 CFR § 800.16(i)] of the Undertaking as reviewed by the SHPO has not changed, and SHPO/Tribal concurrence is documented, FEMA shall document these findings to the project files in order to confirm that the requirements of Section 106 have been satisfied.
7. If another Federal program or Federal agency has reviewed and approved an Undertaking under Section 106 of the NHPA within the past five years, FEMA has no further requirement for Section 106 review provided that it confirms that the scope and effect [as defined by 36 CFR § 800.16(i)] of the Undertaking as reviewed by the previous agency has not changed, and SHPO/Tribal concurrence is documented. FEMA shall document these findings to the project files in order to confirm that the requirements of Section 106 have been satisfied.
8. Should FEMA, in consultation with SHPO and Participating Tribe(s), determine that the previous Section 106 review was insufficient or involved interagency disagreements on eligibility, effect, or mitigation, FEMA shall conduct additional Section 106 review in accordance with the terms of this Agreement.
9. Pursuant to 44 CFR § 206.110(m), assistance to individuals and households provided under 44 CFR Part 206, Subpart D and Section 408 of the Stafford Act, including funding for owner occupied home repair and replacement, content replacement, personal property, transportation and healthcare expenses, is exempt from the provisions of Section 106. For ground disturbing activities, and construction related to 44 CFR §§ 206.117(b)(1)(ii) (temporary housing), 206.117(b)(3) (replacement

housing), 206.117(b)(4) (permanent housing construction), and 206.117(c)(1)(vi) (privately owned access routes), FEMA will conduct Section 106 review.

10. FEMA has determined that the following types of activities have limited or no potential to affect historic properties and FEMA has no further Section 106 responsibilities, pursuant to 36 CFR § 800.3(a)(1):
  - b. Administrative actions such as personnel actions, travel, procurement of services, supplies (including vehicles and equipment) for the support of day-to-day and emergency operational activities, and the temporary storage of goods provided storage occurs within existing facilities or on previously disturbed soils.
  - c. Preparation, revision, and adoption of regulations, directives, manuals, and other guidance documents.
  - c. Granting of variances, and actions to enforce Federal, State, or local codes, standards or regulations.
  - d. Monitoring, data gathering, and reporting in support of emergency and disaster planning, response and recovery, and hazard activities.
  - e. Research and development of hazard warning systems, hazard mitigation plans, codes and standards, and education/public awareness programs.
  - f. Assistance provided for planning, studies, design and engineering costs that involve no commitment of resources other than staffing and associated funding.
  - g. Assistance provided for training, management and administration, exercises, and mobile/portable equipment purchases; with the exception of potential ground-disturbing activities and modification of existing structures.
  - h. Community Disaster Loans for funding to perform governmental functions for any eligible jurisdiction in a designated disaster area that has suffered a substantial loss of tax and other revenue.
  - i. Acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements.
  - j. Funding the administrative action of acquiring properties in buyout projects e.g., surveys, legal fees, non-destructive abatement activities), excluding the real estate transaction and demolition. Per Item III.D, OEM shall advise its subgrantees that they may jeopardize Federal funding if work is performed without all required local, State and Federal licenses, permits or approvals, including the completion of the Section 106 process.

- k. Reimbursement of a subgrantee's insurance deductible, when the deductible is the total FEMA eligible cost for the project.
- l. Labor, equipment and materials used to provide security in the Disaster Declaration area, including lease, rental, purchase or repair of equipment or vehicles and payment for staff and contract labor.
- m. Application of pesticides to reduce adverse public health effects, including aerial and truck-mounted spraying.
- n. Unemployment assistance.
- o. Distribution of food coupons.
- p. Legal services.
- q. Crisis counseling.

11. The terms of this Agreement will not apply to Undertakings on Tribal (reservation lands) unless the affected Tribe(s) have concurred in writing.

12. Any FEMA Programs authorized by the United States Congress in the future may be included in this Agreement in accordance with Stipulation IV.A, Amendments. Any change in the FEMA name, Programs, or organizational structure will not affect this Agreement.

## **B. Roles and Responsibilities of FEMA, SHPO, OEM, and LPC**

### **1. FEMA:**

- a. FEMA will use Federal, Tribal, State, subgrantee, or contractor staff whose qualifications meet the Secretary of the Interior's (Secretary's) Professional Qualifications Standards (Professional Qualifications) set forth in the Federal Register at 48 Fed. Reg. 44716-01 (September 29, 1983), as amended (Qualified), in completing identification and evaluation of historic properties and in making determinations of effects. FEMA will review any National Register eligibility determination and make its own findings of effect resulting from the performance of these activities prior to submitting such determinations to the SHPO and Participating Tribe(s).
- i. FEMA acknowledges that Tribe(s) possess special expertise in assessing the National Register eligibility of properties with religious and/or cultural significance to them. Tribal leaders and, as appropriate, their representatives shall decide who meets qualifications/standards as defined by their Tribe(s) for review of undertakings affecting properties with religious and/or cultural significance to Tribe(s).

- b. FEMA will coordinate with the LPC to help LPC ensure that subgrantees apply for permits.
  - i. If an Undertaking as defined by 36 CFR § 800.5 has the potential to adversely affect an LPC designated property or one calendared for designation, then FEMA will provide LPC with the same documentation that is provided to SHPO and Participating Tribe(s).
  - ii. When LPC notifies FEMA that an Undertaking is subject to further LPC review and permitting, FEMA EHP may approve the project and will notify the Grantee that the subgrantee is responsible for obtaining a permit from LPC.
  - iii. FEMA will request LPC to be a consulting party on any Memorandum of Agreement (MOA) that is written to resolve adverse effects to buildings that are LPC designated or proposed landmarks.
- c. FEMA alone shall conduct all project consultation with participating Tribes. In accordance with 36 CFR § 800.2(c)(4), FEMA may authorize the Grantee, or a subgrantee through the Grantee, to initiate the Section 106 process with the SHPO and other consulting parties, assist in identifying other consulting parties with a demonstrated interest in the Undertaking, and prepare any necessary analyses and documentation, but FEMA will remain legally responsible for determinations of National Register eligibility and findings of effect recommended by the authorized party. FEMA shall follow the process set forth in Stipulation I.B.1.a, FEMA Roles and Responsibilities, above and notify the SHPO in writing when a Grantee or subgrantee has been authorized to initiate consultation on FEMA's behalf.
- d. Prior to authorizing the release of funds for individual undertakings requiring grant conditions pursuant to this Agreement, FEMA will inform OEM of all stipulations and conditions and ensure that they are understood so they can be adequately conveyed to subgrantees. FEMA will work in partnership with OEM to provide subgrantees with guidance on in-kind repair pursuant to The Secretary of the Interior's Standards for the Treatment of Historic Properties 1995 (Standards), 36 CFR Part 68, or the most updated version, and techniques to avoid or minimize adverse effects to historic properties.
- e. FEMA shall provide the signatories and invited signatories with bi-annual reports for the previous six months by July 1st and December 31st of each year that this Agreement is in effect. This annual report will summarize the actions taken to implement the terms of this Agreement, statistics on Undertakings reviewed, and recommend any actions or revisions to be considered, including updates to the appendices.
- f. FEMA will confer bi-annually and as necessary with signatories and invited signatories to this Agreement within 30 days after issuance of the annual report, to review the report and/or discuss issues and concerns in greater detail.

- g. FEMA shall convene the an initial scoping meeting with the signatories and invited signatories as soon as practicable following the Disaster Declaration and provide specific points of contact and other pertinent information about the Disaster Declaration.
- h. FEMA shall ensure that all documentation resulting from Undertakings reviewed pursuant to this Agreement shall be consistent with applicable SHPO and Tribal guidelines and the confidentiality provisions of 36 CFR § 800.11(c).

**2. SHPO:**

- a. SHPO shall review FEMA's determination of the Areas of Potential Effect (APE), National Register eligibility determinations, and FEMA's effect findings and provide comments within timeframes required by this Agreement.
- b. Upon request, the SHPO will provide FEMA/and or its designee(s) with available information about historic properties (such as access to online systems or site files, GIS data, survey information, geographic areas of concern). Such data sharing may be memorialized in an agreement. Only Qualified FEMA staff and/or its designee(s) shall be afforded access to protected cultural resources information.
- c. The SHPO will identify staff or consultants to assist FEMA staff with its Section 106 responsibilities, and identify, in coordination with FEMA, specific activities that SHPO may perform for specific undertakings as agreed in writing with FEMA.
- d. As requested, SHPO staff will be available as a resource and for consultation through site visits, written requests, telephone conversations or electronic media. In those instances where consultation with SHPO has occurred, a written notice (via e-mail or regular mail) will be sent to SHPO to confirm any decisions that were reached.
- e. FEMA and the SHPO may agree to delegate some or all of the SHPO's responsibilities under this Agreement to supplementary SHPO staff assigned to FEMA-DR-4085-NY that are physically located in FEMA's Joint Field Office or SHPO offices in order to help expedite project review or other responsibilities under this Agreement. FEMA, SHPO and OEM will consult about the selection of the supplementary SHPO staff, the scope of responsibilities delegated, and the implementing procedures related to the actions and decisions delegated. FEMA and SHPO shall formally document their agreement regarding the supplementary SHPO staff.
- f. The SHPO shall participate in an initial scoping meeting for the Disaster Declaration.

- g. The SHPO may assist local jurisdictions or OEM with advance planning efforts to consider historic properties related to their preparedness, homeland security, response, recovery, and mitigation programs, for which FEMA funding may be requested.
- h. The SHPO will coordinate with FEMA, to identify consulting parties, including any communities, organizations, or individuals that may have an interest in a specific Undertaking and its effects on historic properties.

**3. LPC**

- a. LPC will review FEMA Undertakings that have the potential to adversely affect an LPC designated property or one calendared for designation using FEMA consultation documents that are provided to SHPO and Participating Tribe(s) so that LPC may notify FEMA whether or not an LPC property may be affected by the Undertaking and will require a LPC permit.
- b. LPC understands that if it does not respond to FEMA's submittal of Undertakings to them within the timeframes outlined in Stipulation I.E, i.e. within 4 days under emergency conditions, 15 days for IA and PA Undertakings and 30 days for HMGP Undertakings, FEMA will assume that none of the Undertakings are subject to LPC review and permitting and will proceed with the Undertaking.

**4. OEM:**

- a. OEM shall ensure that its subgrantees understand and acknowledge conditions and potential requirements that may be placed upon Undertakings as a result of Section 106 consultation and the provisions of this Agreement.
- b. Subgrantee government and private non-profit agencies are advised in OEM applicant briefings and program materials that FEMA funding may be jeopardized unless all local, State and Federal permits, licenses and approvals are received. NYC LPC reviews and permits were discussed in briefings held for NYC agencies and private non-profits. The official notice to a subgrantee that an Undertaking is subject to further LPC review will be the project approval document specifying the project scope and limits, and containing all conditions and caveats, including an approved Project Worksheet (PW) for a Public Assistance project, and an approved Application for an HMGP project.
- c. OEM will participate in an initial scoping meeting for the Disaster Declaration.
- d. OEM shall ensure that subgrantees understand that failure to comply with the terms of this Agreement and any project-specific conditions could jeopardize FEMA funding.

- e. OEM will notify FEMA as soon as possible of any proposed change to the approved scope of work and direct the subgrantee not to implement the changes to the proposed scope of work until any additional review required by this Agreement is complete.
- f. OEM shall ensure that its subgrantees are made aware that in the event of an unexpected discovery involving an Undertaking that has affected a previously unidentified historic property, human remains, or affected a known historic property in an unanticipated manner, the subgrantee will comply with Stipulation III.B, Unexpected Discoveries.
- g. When issued as a FEMA condition, OEM shall ensure that in its subgrant agreements, any scope of work involving ground disturbance, and resultant contracts to execute said work, provide for the protection of and notification protocols for unexpected discoveries of cultural material and human remains.
- h. If the Tribe assumes the role of Grantee for projects on Tribal lands, it will assume the same responsibilities as outlined in Stipulation I.B.3 of this Agreement, Roles and Responsibilities of the Signatories.

### C. Tribal Consultation

1. For Tribes that have assumed the responsibilities of the SHPO through appointment of a Tribal Historic Preservation Officer (THPO) per Section 101 of the NHPA, FEMA shall consult with the THPO in lieu of the SHPO for undertakings occurring on or affecting tribal lands.
2. Where no Tribal-specific consultation agreements or protocols are in place, FEMA shall consult with affected Tribe(s) in accordance with 36 CFR Part 800. In determining who the affected Tribe(s) may be, FEMA will first establish that an Undertaking has the potential to affect historic properties with religious or cultural importance. FEMA may consult with the SHPO, affected Tribe(s), any State Tribal Agency, and access the National Park Service (NPS) Native American Consultation Database to identify Tribal geographic interests.
3. FEMA shall ensure that its consultations with other consulting parties shall not include the dissemination of information, when advised of data sensitivity by the affected Tribe(s), that might risk harm to an American Indian site or property of religious or cultural significance or that might impede the use of such a site by the affected Tribe(s) in accordance with Section 304 of the NHPA and other applicable laws. Information provided is exempt from public knowledge and disclosure under the Freedom of Information Act (FOIA) by both Section 304 of the NHPA and Section 9 of the Archaeological Resources Protection Act (ARPA) (16 U.S.C. §470aa – 470mm).

#### **D. Public Participation**

- 1. FEMA recognizes that the views of the public are essential to informed decision making throughout the Section 106 review process. FEMA will notify the public of proposed Undertakings in a manner that reflects the nature, complexity, and effect(s) of the Undertaking, the likely public interest given FEMA's specific involvement, and any confidentiality concerns of affected Tribe(s), and private individuals and businesses.**
- 2. FEMA will consult with OEM, the subgrantee, SHPO, and Participating Tribe(s), to determine if there are individuals or organizations with a demonstrated interest in historic properties that should be made aware of an Undertaking. If such parties are identified or identify themselves to FEMA, FEMA will provide them with information regarding the Undertaking and its effect on historic properties, consistent with the confidentiality provisions of 36 CFR § 800.11(c).**
- 3. In accordance with the outreach strategy developed for an Undertaking in consultation with the SHPO and Participating Tribe(s), for involving the public, FEMA will identify the appropriate stages for seeking public input during the Section 106 process.**
- 4. FEMA will consider all views provided by the public regarding an Undertaking and will consider all written requests of individuals and organizations to participate as consulting parties, and in consultation with the SHPO and Participating Tribe(s), determine which should be consulting parties. FEMA will invite any individual or organization that will assume a specific role or responsibility outlined in a Section 106 agreement document to participate as an invited signatory party in that agreement document.**
- 5. FEMA also may provide public notices and the opportunity for public comment or participation in an Undertaking through the public participation process of the National Environmental Policy Act (NEPA) and its implementing regulations set out at 44 CFR Part 10, and/or Executive Orders 11988 and 11990 relating to floodplains and wetlands as set out in 44 CFR Part 9, and Executive Order 12898, Environmental Justice, provided such notices specifically reference Section 106 as a basis for public involvement.**

#### **E. Timeframes**

**All time designations will be in calendar days unless otherwise stipulated. If any signatory or invited signatory does not object to FEMA's determination related to a proposed action within an agreed upon timeframe, FEMA may proceed to the next step in the review process as described in Stipulation II, Project Review. Due to the varied nature of Undertakings, the individual response times to FEMA's requests for comment/concurrence will vary.**

1. Under emergency conditions, the SHPO and Participating Tribe(s) will respond to any FEMA request for comments within three (3) days after receipt, unless FEMA determines the nature of the emergency action warrants a shorter time period.
2. For Undertakings associated with the Individual Assistance (IA) and Public Assistance (PA) programs, the review time shall be a maximum of fifteen (15) days for delineation of the Area of Potential Effect (APE), determinations of National Register eligibility and findings of effect.
3. For the Hazard Mitigation Grant Program (HMGP), the response time for each request for concurrence shall be a maximum of thirty (30) days.

## **II. PROJECT REVIEW**

### **A. Programmatic Allowances**

1. If FEMA determines an Undertaking conforms to one or more of the allowances in Appendix B of this Agreement, FEMA will complete the Section 106 review process by documenting this determination in the project file, without SHPO and Tribal review or notification.
2. If the Undertaking involves a National Historic Landmark (NHL), FEMA shall notify the SHPO and Participating Tribe(s) and the NHL Program Manager in the NPS Northeast Regional Office that the Undertaking conforms to one or more allowances. FEMA will provide information about the proposed scope of work for the Undertaking and the allowance(s) enabling FEMA's determination.
3. If an Undertaking is not composed entirely of an allowance listed in Appendix B, FEMA will conduct Section 106 review for the entire Undertaking.
4. For an Undertaking that FEMA determines does not meet the allowance criteria, FEMA shall complete the Section 106 review process in accordance with Stipulation II.C, Standard Project Review, as applicable.
5. Allowances may be revised and new allowances may be added to this Agreement in accordance with Stipulation IV.A.3, Amendments.

## B. Expedited Review for Emergency Undertakings

1. As part of the Disaster Declaration process, FEMA will define the time interval during which the disaster causing incident occurs (the incident period, as defined in 44 CFR § 206.32(f)). FEMA may approve Federal assistance and/or funding for emergency work (as defined in 44 CFR § 206.201(b)) that occurs during the incident period, including work already completed, in response to an immediate threat to human health and safety or improved property. FEMA will conduct expedited review of emergency Undertakings from October 27, 2012, the beginning of the incident period, until January 27, 2013.
2. Should FEMA determine that it is necessary to extend the expedited review period beyond January 27, 2012, FEMA will request in writing, prior to the expiration of the expedited review period, an extension of the period of applicability in 30-day increments in accordance with 36 CFR § 800.12(d).
3. For all emergency Undertakings, FEMA will determine the following:
  - a. If the Undertaking is an immediate rescue and salvage operations conducted in response to an event to preserve life and property, FEMA has no Section 106 review responsibilities in accordance with 36 CFR § 800.12(d); or
  - b. If the Undertaking meets one or more of the Allowances in Appendix B of this Agreement, FEMA will complete the Section 106 review process pursuant to Stipulation II.A.1, Programmatic Allowances.
  - c. If FEMA determines that the emergency Undertaking will adversely affect a historic property during this expedited review period, to the extent practicable FEMA may propose treatment measures that would address adverse effects during implementation, and request the comments of the SHPO and/or the affected Tribe(s) within 3 days of receipt of this information unless FEMA determines the nature of the emergency warrants a shorter time period. FEMA may elect to consult with the SHPO and/or the affected Tribe(s) regarding the emergency Undertaking at any point before or during the implementation of an emergency Undertaking if FEMA determines circumstances are appropriate for expedited consultation.
  - d. FEMA may provide this information through written requests, telephone conversations, meetings, or electronic media. In all cases, FEMA will clarify that an “expedited Undertaking review” is being requested.
  - e. FEMA will take into account any timely comments provided by SHPO and/or the affected Tribe(s) and notify the parties of how their comments were taken into consideration by FEMA, OEM, and subgrantee.

- f. Should the SHPO and/or Participating Tribes not comment within 7 days, FEMA may fund the emergency Undertaking based on the available information. This will complete the Section 106 review for the Undertaking.

C. Emergency Demolition and Debris Removal of Privately-Owned Properties

FEMA may need to carry out debris removal activities involving the demolition and removal of buildings and structures that are damaged beyond repair or that are completely collapsed and/or disassembled by the actions of the declared event and therefore must be removed for health and safety reasons. Damage to historic properties by the effects of natural disasters to such a degree that demolition is required for health and safety reasons is not an adverse effect as defined under Section 106 of NHPA. However, FEMA is required by the NHPA to determine if its specific actions in response to disasters will cause adverse effects to any historic properties. After FEMA Public Assistance Program (PA) determines a property initially eligible for demolition, FEMA EHP will review these projects using the following expedited emergency process outlined below.

1. FEMA EHP will evaluate all properties proposed for demolition to determine if they are listed in the National Register or have previously been determined to be eligible for the National Register. If a property has not been previously evaluated for National Register eligibility, FEMA will make a determination whether or not the property is eligible for the National Register. Historic properties include both those above the ground (buildings and structures) and below the ground (archaeological sites and artifacts).
2. FEMA's evaluation will include a data base/GIS review of SHPO information to identify previously-identified historic properties, field review and photography, and additional research of properties that are more than 45 years of age, including archaeological analysis if necessary.
3. FEMA EHP will evaluate all properties proposed for demolition to determine if they are LPC designated or calendared for designation. This will include a database review at <http://geo.nycnet/doitt/nycgovmap/> for designated properties and <http://a810-bisweb.nyc.gov/bisweb/bsqpm01.jsp> (New York City Buildings Department) for calendared properties.
4. FEMA will conduct an analysis of effects for any historic property identified for demolition or for any demolition that will affect other historic properties within an Area of Potential Effects (APE) and will determine if the project will result in adverse effects. The APE shall include properties within the view shed of the Undertaking that are LPC designated or calendared. The APE for historic properties that are not located within a designated National Register or LPC historic district, or within a geographic area that is eligible as a National Register district, will be the building footprint. For all others, FEMA will determine a project-specific APE. FEMA will also provide information to the SHPO for these properties that describes the specific nature of the damage to each property

5. FEMA will document its findings concerning each property that is proposed for demolition and will submit a report to the SHPO and other consulting parties, as appropriate that includes two (2) photographs of each property (more if associated resources are present) and text that briefly but adequately explains FEMA's determination of National Register eligibility and effects. These reports will be submitted via the SHPO's dedicated electronic mail account at [femarecovery@parks.ny.gov](mailto:femarecovery@parks.ny.gov).
6. SHPO will review the reports, provide its concurrence or ask for more information via electronic mail within three (3) business days. If SHPO does not concur with FEMA's finding for any property, both agencies will conduct further consultation as soon as possible to clarify FEMA's determinations or to resolve any disagreements.
7. To the extent practicable, demolition of every structure will be carried out following low impact protocols – limiting disturbance to the footprint of the existing structure, limiting the use of heavy equipment on the property, pushing all foundation materials into the building basement and emphasizing that the contractors make reasonable efforts to avoid or minimize harm to any archaeological deposits. In addition, FEMA's PA Program does not fund the removal of slabs, further ensuring that these undertakings will likely have minimal impact on archaeological resources. In most instances FEMA will make the determination that no historic properties will be affected by the demolition.
8. In cases where a demolition site is considered to be archaeologically sensitive monitoring will be required by an archaeologist who meets the Secretary's Professional Qualifications Standards. This determination will be made on a case-by case-basis by FEMA in consultation with the SHPO and other consulting parties. Eligibility determinations, assessment of effects and resolution of adverse effects will be made subsequent to identification of an archeological property. Uprooted trees and exposed stumps will be removed in accordance with the Stump Removal Policy in Appendix E.
9. Demolition of eligible historic buildings/structures may be adverse and may require development of a Memorandum of Agreement (MOA) to mitigate any adverse effects. If FEMA determines that any property demolition is an Undertaking that will result in adverse effects, it will enter into consultation with the SHPO and other appropriate consulting parties to develop an MOA to mitigate the adverse effects as required under Section 106. FEMA may choose to identify, in consultation with the SHPO, standard treatment measures to mitigate adverse effects to multiple properties.

10. This agreement only pertains to the residential structure itself and does not include the demolition or removal of any other infrastructure on these properties, including sidewalks, driveways, pools, retaining walls or similar structures that would not be eligible for FEMA Public Assistance funding.

#### D. Standard Project Review

For Undertakings not exempt from further Section 106 review, FEMA will ensure that the following standard project review steps are implemented. In the interest of streamlining, FEMA may combine some of these steps during consultation.

1. **Consulting Parties:** FEMA will consult as appropriate with the SHPO and affected Tribe(s) to identify any other parties that meet the criteria to be consulting parties and invite them to participate in the Section 106 review process. FEMA may invite others to participate as consulting parties as the Section 106 review proceeds.
2. **Area of Potential Effects:** For standing structures, qualified staff shall define the APE as the individual structure when the proposed Undertaking is limited to the repair or rehabilitation (as defined in 36 CFR § 68.3(b)(6) and 36 CFR § 68.2(b)) of a structure located outside of a National Register listed or eligible historic district. For all other undertakings, qualified staff will determine the APE in consultation with the SHPO and Participating Tribes. FEMA may also consider information provided by other parties, such as local governments, LPC, local preservation advocacy organizations, and the public, when establishing the APE.
3. **Identification and Evaluation:** Qualified staff shall determine, in consultation with the SHPO and Participating Tribes if the APE contains historic properties, including archaeological sites or properties of religious or cultural significance, that are listed in or potentially eligible for the National Register, or LPC designated and calendared properties. This may include the review of preliminary documentation collected by OEM or the subgrantee in coordination with the SHPO.
  - a. **Archaeological Properties,** FEMA may consult with the SHPO to determine the level of effort and methodology necessary to identify and define the limits of archaeological properties. For historic properties of religious and cultural significance to Participating Tribe(s), FEMA shall consult with the Tribe(s) to identify geographic areas where properties may be affected by an Undertaking in order so that FEMA may determine the necessary level of effort required to avoid or protect any such properties. FEMA may also consult with LPC regarding identification and treatment of archaeological properties.
  - b. **National Historic Landmarks:** When FEMA determines an Undertaking has the potential to affect an NHL, FEMA shall notify the Secretary through the NHL Program Manager in the NPS Northeast Regional Office in addition to the SHPO and Participating Tribe(s).

- c. **Determinations of Eligibility:** FEMA shall review or determine National Register eligibility based on identification and evaluation efforts, and consult with SHPO and Participating Tribe(s) regarding these determinations. Should the SHPO or Participating Tribe(s) disagree with the determination of eligibility, FEMA may elect to either continue consultation, treat the property as eligible for the National Register, or to obtain a determination of eligibility from the Keeper of the National Register in accordance with 36 CFR § 63.2(d)-(e) and 36 CFR § 800.4(c)(2).
- d. **Findings of No Historic Properties Affected:** FEMA shall make a finding of “no historic properties affected” if no historic properties are present in the APE; the Undertaking is designed to avoid historic properties, including archaeological sites or properties of religious or cultural significance to Participating Tribe(s); or the Undertaking does not affect the character defining features of a historic property.
  - i. FEMA shall notify the SHPO, Participating Tribes(s), and any other consulting parties of this finding and provide supporting documentation in accordance with 36 CFR § 800.11(d) and applicable documentation standards. Unless the SHPO or Participating Tribe(s) objects to the finding pursuant to the appropriate timeframe outlined in Stipulation I.E.2 or I.E.3, Timeframes, FEMA shall complete the Section 106 review.
  - ii. If the SHPO or Participating Tribe(s) objects to a finding of “no historic properties affected”, FEMA may elect to consult with the objecting party to resolve the disagreement. If the objection is resolved, FEMA may proceed with the action in accordance with the resolution. FEMA also may elect to reconsider effects on the historic property by applying the criteria of adverse effect pursuant to Stipulation II.D.4, Application of the Criteria of Adverse Effect. If FEMA is unable to resolve the disagreement, it will forward the finding and supporting documentation to the ACHP and request that the ACHP review FEMA’s finding in accordance with 36 CFR § 800.4(d)(1)(iv)(A) through 36 CFR § 800.4(d)(1)(iv)(C). FEMA will consider the ACHP’s recommendation in making its final determination.
- 4. **Application of the Criteria of Adverse Effect:** If FEMA finds an Undertaking may affect identified historic properties in the APE, including properties of religious or cultural significance to Participating Tribe(s), or if a consulting party objects to the finding of “no historic properties affected,” FEMA will apply the criteria of adverse effect to historic properties within the APE(s), taking into account the views of the consulting parties and public concerning effects in accordance with 36 CFR § 800.5(a).
  - a. If FEMA determines that an Undertaking does not meet the adverse effect criteria or, for a standing structure, that the Undertaking meets the *Standards*, FEMA shall propose a finding of “no adverse effect” in accordance with 36 CFR § 800.5(b).

- b. FEMA shall notify the SHPO, Participating Tribe(s), and all other consulting parties of its finding and provide supporting documentation pursuant to 36 CFR §800.11(e) and applicable documentation standards. Unless a consulting party objects within the appropriate timeframe, FEMA will proceed with its “no adverse effect” determination and complete the Section 106 review.
  - c. If FEMA finds the Undertaking may have an adverse effect, FEMA shall request through OEM that the subgrantee revise the scope of work to substantially conform to the Standards for standing structures, or avoid or minimize adverse effects for archaeological properties, in consultation with the SHPO, Participating Tribe(s), and any other consulting parties. If the subgrantee modifies the scope of work to address the adverse effect, FEMA shall notify the consulting parties, and provide supporting documentation. Unless a consulting party makes a timely objection, FEMA shall proceed with its “no adverse effect” determination and complete the Section 106 review.
  - d. If a consulting party objects to a finding of “no adverse effect,” FEMA will elect to consult with the objecting party to resolve the disagreement. If the objection is resolved, FEMA will proceed with the undertaking in accordance with the resolution, or;
  - e. If the objection cannot be resolved, FEMA will forward its findings and supporting documentation to the ACHP and request that the ACHP review the findings in accordance with 36 CFR. § 800.5(c)(3)(i-ii). FEMA will consider the ACHP’s comments in making its final determination, or;
  - f. If an Undertaking cannot be modified to avoid adverse effects FEMA will initiate consultation to resolve the adverse effect(s) in accordance with Stipulation II.D.5, Resolution of Adverse Effects.
5. Resolution of Adverse Effects: If FEMA determines that an Undertaking will adversely affect a historic property, it shall resolve the effects of the Undertaking in consultation with the SHPO, OEM, participating Tribes, subgrantee, ACHP, if participating, and any other consulting parties, by one of the following methods depending upon the nature and scale of the adverse effect as well as the determination of the historic property’s significance on a local, state or national level:
- a. Abbreviated Consultation Process: After taking into consideration the nature of the historic properties affected and the severity of the adverse effect(s), FEMA may propose to resolve the adverse effect(s) of the Undertaking through the application of Treatment Measures outlined in Appendix C as negotiated with the SHPO, OEM, and Participating Tribe(s). FEMA will not propose use the Abbreviated Consultation Process if the Undertaking may affect an NHL. The application of these Treatment Measures will not require the execution of a Memorandum of Agreement (MOA) or Programmatic Agreement.

1. FEMA will notify the consulting parties in writing of its proposed use of a specific Treatment Measure, or combination of Treatment Measures with the intent of expediting the resolution of adverse effects and provide documentation as required by 36 CFR §800.11(e) and subject to the confidentiality provisions of 36 CFR §800.11(c), as well as provide the ACHP with an adverse effect notice in accordance with 36 CFR §800.6(a)(1) and notify them of FEMA's intent to apply the Treatment Measure(s). Unless a consulting party or the ACHP objects within fifteen (15) days of receipt of FEMA's proposal, FEMA will proceed with the use of Treatment Measure(s) and will complete Section 106 review.
  2. If any of the consulting parties or the ACHP objects within the 15 day review and comment period to the resolution of adverse effects through the application of the Abbreviated Consultation Process, FEMA shall consult further with the consulting parties to explore options for resolution of the adverse effect(s). If consultation is not successful after an additional 15 day period, FEMA shall request that the ACHP arbitrate the consultation and help identify a final resolution of the adverse effect(s). If no consensus is reached, FEMA shall resolve the adverse effect(s) using procedures outlined below in Stipulation II.E.5.b, Memorandum of Agreement.
  3. Because funding and implementation details of Treatment Measure(s) for specific Undertakings may vary by program, FEMA will provide written notice to the consulting parties within sixty (60) days of the completion of the Treatment Measure(s). This written notice will serve as confirmation that the Treatment Measure(s) for a specific Undertaking have been implemented. FEMA will also include information pertaining to the completion of Treatment Measures in the annual report pursuant to Stipulation I.B.1,d, FEMA Roles and Responsibilities.
- b. Memorandum of Agreement (MOA): If the Abbreviated Consultation Process is determined infeasible or is objected to by any of the consulting parties, FEMA, in consultation with the other consulting parties, will develop an MOA in accordance with 36 CFR § 800.6(c) to stipulate treatment measures to avoid, minimize, and/or mitigate adverse effects on historic properties. If the ACHP was not previously notified of the adverse effect, FEMA will provide the documentation outlined in 36 CFR §800.11(e), and the ACHP will have 15 days to review the undertaking and determine if its participation is necessary to complete the consultation process. The MOA may also include feasible treatment measures that serve an equal or greater public benefit in promoting the preservation of historic properties in lieu of more traditional treatment measures. Should the execution of an MOA not be appropriate given the nature and significance of historic properties, scale of adverse effects, or include one or more complex Undertakings, FEMA shall resolve the adverse effects using the procedures outlined below in Stipulation II.E.5.c, Programmatic Agreement.

- c. **Programmatic Agreement:** FEMA, the SHPO, OEM, Participating Tribe(s), the ACHP, as appropriate, and any other consulting party may consult to develop a Programmatic Agreement in accordance with 36 CFR § 800.14(b) to identify programmatic conditions or treatment measures to govern the resolution of potential or anticipated adverse effects from certain complex project situations for an Undertaking or for multiple but similar Undertakings by a single subgrantee.
- d. **Objections:** Should any signatory, invited signatory, consulting party, or member of the public object within the timeframes established by this Agreement to any plans, specifications, or actions pursuant to resolving an adverse effect, FEMA shall consult further with the objecting party to seek resolution. If FEMA determines the objection cannot be resolved, FEMA shall address in accordance with Stipulation IV.B, Dispute Resolution.
- e. **National Historic Landmarks:** When FEMA determines an Undertaking will adversely affect an NHL, FEMA also will notify and invite the Secretary and ACHP to participate in consultation, pursuant to 36 CFR § 800.10. When the ACHP participates in consultation related to an NHL, the ACHP will report the outcome of the consultation to the SecretaryOI and the FEMA Administrator.

### **III. OTHER CONSIDERATIONS**

- A. **Changes to an Approved Scope of Work:** OEM is required to notify FEMA and will require its subgrantees to notify it immediately when there are proposed changes to an approved scope of work for an Undertaking. When notified by OEM of any proposed substantive change to the approved scope of work for an Undertaking, FEMA may authorize the OEM or subgrantee to proceed with the change once the required review is completed.
- B. **Unexpected Discoveries:** Upon notification by a subgrantee of an unexpected discovery in accordance with Stipulation I.B.3.d, OEM Roles and Responsibilities, OEM will immediately notify FEMA and require the subgrantee to:
  - 1. Stop construction activities in the vicinity of the discovery; and,
  - 2. Notify the local law enforcement office and coroner/medical examiner if human remains are discovered, in accordance with applicable New York State statute(s);
  - 3. Take all reasonable measures to avoid or minimize harm to the property until FEMA has completed consultation with the SHPO, Participating Tribe(s), and any other consulting parties. Upon notification by OEM of a discovery, FEMA will immediately notify the SHPO, Participating Tribe(s), and any other consulting parties that may have an interest in the discovery, and consult to evaluate the discovery for National Register eligibility.
  - 4. FEMA will consult with the consulting parties in accordance with the review process outlined in Stipulation II, Project Review, to develop a mutually agreeable action plan

with timeframes to identify the discovery, take into account the effects of the Undertaking, resolve adverse effects if necessary, and ensure compliance with applicable Federal and State statutes.

5. In cases where discovered human remains are determined to be American Indian, FEMA shall consult with the appropriate Tribal representatives and SHPO. In addition, FEMA shall follow the guidelines outlined in the ACHP's *Policy Statement Regarding the Treatment of Burial Sites, Human Remains, and Funerary Objects* (2007).
6. FEMA will coordinate with OEM and the subgrantee regarding any needed modification to the scope of work for the Undertaking necessary to implement recommendations of the consultation and facilitate proceeding with the Undertaking.

#### C. Curation

1. FEMA and OEM shall ensure that all records and materials (collections) produced during the course of an archaeological survey, testing, and any data recovery operations for the implementation of its Undertakings are curated at a facility, preferably in-state, that meets the standards of, and in accordance with the applicable provisions of 36 CFR Part 79, "Curation of Federally Owned and Administered Archaeological Collections," and applicable State law and guidelines.
2. In cases where the survey, testing, or data recovery are conducted on private land, any recovered collections remain the property of the land owner and FEMA will return the collections to them with the assistance of the SHPO. In such instances, FEMA and OEM, in coordination with the SHPO or Participating Tribe(s), shall encourage land owners to donate the collection(s) to an appropriate public or Tribal entity. In cases where the property owner declines to accept responsibility for the collection(s) and wishes to transfer ownership of the collection(s) to a public or Tribal entity, FEMA and OEM will ensure curation of the collection(s) in accordance with Stipulation III.C.1 above.

#### D. Anticipatory Actions and After the Fact Review

1. OEM shall advise its subgrantees that they may jeopardize Federal funding if work is performed without all required local, State and Federal licenses, permits or approvals, including the completion of the Section 106 process. FEMA also shall document this requirement in its Record of Environmental Consideration, as applicable, as well as all project approval documents specifying the project scope and limits, and containing all conditions and caveats, including an approved Project Worksheet (PW) for a Public Assistance project, and an approved Application for an HMGP project.
2. In accordance with Section 110(k) of the NHPA, FEMA shall not grant assistance to a subgrantee who, with intent to avoid the requirements of this Agreement or Section 106 of the NHPA, has intentionally significantly and adversely affected a historic

property to which the assistance would relate, or having legal power to prevent it, allowed an adverse effect to occur. However, if after consultation with the SHPO, Participating Tribes(s), and ACHP, FEMA determines that extraordinary circumstances justify granting assistance despite the adverse effect created or permitted by the subgrantee, FEMA shall complete consultation for the Undertaking pursuant to the terms of this Agreement.

3. In circumstances where FEMA determines a subgrantee has initiated an Undertaking without willful intent to avoid the requirements of this Agreement or Section 106 of NHPA, FEMA will determine if the Undertaking would have required Section 106 review in accordance with Stipulation II.D, Standard Project Review.
4. If FEMA determines no Section 106 review or consultation with SHPO and Participating Tribe(s) would have been required pursuant to Stipulation II.D, Standard Project Review, FEMA will document this determination to the project files and consider the project Section 106 compliant.
5. If FEMA determines the Undertaking would have required Section 106 review, FEMA will coordinate with SHPO and Participating Tribe(s) to determine if consultation is feasible.
  - a. If after coordination with the SHPO and affected Tribes, FEMA determines that consultation is feasible, FEMA will review the Undertaking in accordance with Stipulation II.D, Standard Project Review.
  - b. If after coordination with the SHPO and Participating Tribe(s), FEMA determines that review is infeasible, FEMA will document that the project is noncompliant with Section 106, and the FEMA program then will make a funding eligibility decision.
6. FEMA will ensure that all Undertakings considered for after the fact review in accordance with this stipulation are included in the bi-annual reports.

#### **IV. IMPLEMENTATION OF AGREEMENT**

##### **A. Amendments**

1. If any signatory or invited signatory to the terms of the Agreement determines that the Agreement cannot be fulfilled, or that an amendment to the terms of this agreement must be made, the signatories and the invited signatories will consult for no more than 30 days to seek amendment of the Agreement.
2. This Agreement may be amended only upon the written consensus of the signatories. This Stipulation does not apply to amendments made to Appendices A, B, and C pursuant to Stipulation IV.A.3, Amendments, below.

3. Appendix A (FEMA Programs), Appendix B (Programmatic Allowances) and Appendix C (Treatment Measures) may be amended at the request of FEMA, a signatory party, or an invited signatory party in the following manner:
  - a. FEMA, on its own behalf or on behalf of another signatory or invited signatory, shall notify all signatory and invited signatory parties to this Agreement of the intent to add to or modify the current Appendix or Appendices and shall provide a draft of the updated Appendix or Appendices to all signatory and invited signatory parties.
  - b. If no signatory or invited signatory object in writing within 15 days of receipt of FEMA's proposed addition or modification, FEMA will date and sign the amended Appendix and provide a copy of the amended Appendix to all signatory and invited signatory parties.

#### **B. Dispute Resolution**

1. Should any signatory or invited signatory to this Agreement object in writing within 30 days to the terms of this Agreement, FEMA will consult with the objecting party for not more than 30 days to resolve the objection.
2. If the objection is resolved within 30 days, FEMA shall proceed in accordance with the resolution.
3. If FEMA determines within 30 days that the objection cannot be resolved, FEMA will forward to ACHP all documentation relevant to the objection, including FEMA's proposed resolution. Within 30 days of receipt, ACHP will:
  - a. Concur in FEMA's proposed resolution; or
  - b. Provide FEMA with recommendations, which FEMA will take into account in reaching a final decision regarding the objection; or
  - c. Notify FEMA that the objection will be referred for comment in accordance with 36 CFR § 800.7(a)(4), and proceed to do so. FEMA will take the resulting comment into account.
4. FEMA will take into account any ACHP recommendations or comments, and any comments from the other signatories and invited signatories, in reaching a final decision regarding the objection in accordance with 36 CFR § 800.7(c)(4). The signatories will continue to implement all other terms of this Agreement that are not subject to objection.
5. Should ACHP not respond within 30 days, FEMA may assume ACHP has no comment and proceed with its proposed resolution to the objection.

6. FEMA will provide the signatories and invited signatories with its final written decision regarding any objection brought forth pursuant to this Stipulation.
7. FEMA may authorize any disputed action to proceed, after making its final decision.
8. At any time while this Agreement is in effect, should a member of the public object in writing to implementation of its terms, FEMA will notify the other signatories and invited signatories in writing and take the objection into consideration. FEMA will consult with the objecting party and, if that party so requests, the other signatories and invited signatories, for not more than 21 days. In reaching its decision regarding the objection, FEMA will take into consideration all comments from these parties. Within 15 days after closure of this consultation period, FEMA will provide the other parties with its final decision in writing. FEMA's decision will be final.
9. Any dispute regarding National Register eligibility that is not resolved pursuant to this Stipulation will be resolved in accordance with Stipulation II.D.3.c, Determinations of Eligibility.

#### C. Severability and Termination

1. In the event any provision of this Agreement shall be deemed contrary to, or in violation of, any applicable existing law or regulation of the United States of America and/or the State New York, only the conflicting provision(s) shall be deemed null and void, and the remaining provisions of the Agreement shall remain in effect.
2. FEMA, the SHPO, OEM, or Participating Tribe(s) may terminate this Agreement by providing 30 days' written notice to the other signatory and invited signatory parties, provided that the parties consult during this period to seek amendments or other actions that would prevent termination. If this Agreement is terminated, FEMA will comply with 36 CFR Part 800. Upon such determination, FEMA will provide all other signatories and invited signatories with written notice of the termination of this Agreement.
3. A Participating Tribe may notify the other signatories and invited signatories that it is fully withdrawing from participation in the Agreement. Following such a withdrawal, FEMA will review undertakings that may affect historic properties of religious and cultural significance to the Tribe in accordance with 36 CFR §§ 800.3 through 800.7 or an applicable alternative under 36 CFR § 800.14. Withdrawal from this Agreement by a Participating Tribe does not terminate the Agreement. A Tribe that has withdrawn from the Agreement may at any time that this Agreement remains in effect notify FEMA, OEM, and SHPO in writing that it has rescinded its notice withdrawing from participation in the Agreement.
4. This Agreement may be terminated by the implementation of a subsequent Agreement that explicitly terminates or supersedes this Agreement, or by FEMA's implementation of Alternate Procedures, pursuant to 36 CFR § 800.14(a).

#### **D. Duration and Extension**

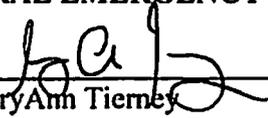
- 1. Unless terminated in accordance with Stipulation IV.C.2 or IV.C.4, Severability and Termination, this Agreement shall remain in effect until FEMA, in consultation with all other signatories, determines that all undertakings related to 4085-DR-NY have been completed.**
- 2. If another federally-declared disaster occurs within the State of New York while this PA is effective, the signatories and invited signatories will consult to determine whether it would be appropriate to extend the PA. If the parties agree that the extension of this PA is an acceptable mechanism for reviewing undertakings as a result of the new disaster, its duration shall be extended pursuant to Stipulation IV.A.**

#### **E. Execution and Implementation**

- 1. This Agreement may be implemented in counterparts, with a separate page for each signatory, invited signatory and concurring party and will become effective on the date of the final signature, and will become effective on the date of signature by FEMA, SHPO, and ACHP. FEMA will ensure that each signatory, invited signatory and concurring party is provided with a complete copy.**
- 2. Execution and implementation of this Agreement evidence that FEMA has afforded ACHP a reasonable opportunity to comment on FEMA's administration of all referenced Programs, and that FEMA has satisfied its Section 106 responsibilities for all individual Undertakings of the Programs.**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Signatory:  
FEDERAL EMERGENCY MANAGEMENT AGENCY

By:  Date: 5/6/13  
By: MaryAnn Tierney  
Acting Regional Administrator, Region II

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Signatory:

**NEW YORK STATE HISTORIC PRESERVATION OFFICER**

By: Ruth Pierpont Date: 5/3/13

By: Ruth Pierpont

New York Deputy Commissioner/New York Deputy State Historic Preservation Officer

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
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THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Signatory:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: \_\_\_\_\_

John M. Fowler  
Executive Director

Date: \_\_\_\_\_

5/10/13

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
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THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Invited Signatory:

**NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT**

  
\_\_\_\_\_

Date: 9/1/13

By: Jerome M. Hauer  
Commissioner

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
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THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
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THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Invited Signatory:  
**THE DELAWARE NATION**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
C. J. Watkins  
Vice President

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
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THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Invited Signatory:  
**THE DELAWARE NATION**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Paula Pechonick  
Chief

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
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THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Invited Signatory:  
**THE SHINNECOCK NATION**

\_\_\_\_\_  
By: [name]  
[title]

Date: \_\_\_\_\_

\_\_\_\_\_  
By: [name]  
[title]

Date: \_\_\_\_\_

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Invited Signatory:

**THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS**

Date: \_\_\_\_\_

\_\_\_\_\_  
By: Robert Chicks  
President of Tribal Council

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Concurring Party:

**NEW YORK CITY LANDMARKS PRESERVATION COMMISSION**

Date: \_\_\_\_\_

\_\_\_\_\_  
By: Robert B. Tierney

Chair, The New York City Landmarks Preservation Commission

## Appendix A

### FEMA Program Summaries

This Appendix may be amended in accordance with Stipulation IV.A, Amendments.

#### **Disaster Response and Recovery Programs**

The following programs are authorized under Titles IV and V of the Stafford Act.

##### *Public Assistance Program (PA)*

This program assists States, Tribal and local governments, and certain types of private nonprofit organizations quickly respond to and recover from major disasters or emergencies declared by the President. Grants are provided for debris removal (Public Assistance Category A), emergency protective measures (Public Assistance Category B), and the repair, replacement, or restoration of disaster-damaged, publicly owned and certain private non-profit facilities (Public Assistance Categories C-G).

##### *Individual Assistance Programs (IA)*

These programs help ensure that individuals and families that have been affected by disasters have access to the full range of FEMA assistance including: crisis counseling (Section 416), disaster legal services (Section 415), essential assistance (Section 403), emergency sheltering assistance (Section 403), transportation (Section 419), funeral services, minor home repairs (Section 408), and temporary housing assistance (Section 408). It should be noted that other Federal agencies provide disaster assistance to individuals as well, such as the US Small Business Administration, Department of Agriculture, and Department of Labor and that this assistance is not subject to the terms of this agreement.

##### *Fire Management Assistance Grant Program (FMAG)*

The FMAG is available to State, Tribal, and local governments for the mitigation, management, and control of fires on publicly or privately owned lands. Eligible costs may include expenses for field camps, equipment use, repair and replacement, materials and supplies, and mobilization and demobilization activities.

##### *Hazard Mitigation Grant Program (HMGP)*

The HMGP provides grants to States, Territories, Tribes, and local governments to implement long-term hazard mitigation measures after a Disaster Declaration. Activities may include buyouts, retrofits, relocations, elevations, and minor flood control projects.

## **Appendix B**

### **Programmatic Allowances**

This list of Allowances enumerates FEMA funded activities that based on FEMA experience have no effect or limited effect on historic properties if implemented as specified in this Appendix and will not require review by the SHPO and Participating Tribe(s) pursuant to Stipulation II.A.1, Programmatic Allowances.

The allowances consist of two tiers – Tier I and Tier II. Staff may apply Tier I allowances without meeting any professional historic preservation qualification standards, while only staff meeting the applicable Secretary’s Professional Qualifications Standards in accordance with Stipulation I.B.1.a of this Agreement may apply Tier II allowances.

When referenced in the allowances, “in-kind” shall mean that it is either the same or a similar material, and the result shall match all physical and visual aspects, including form, color, and workmanship. The in-kind repair provided for in both Tiers I and Tier II allowances in Appendix B should be limited to pre-existing architectural features and physical components of buildings and structures and in general should not be utilized when a building or structure has been substantially altered.

When referenced in the allowances, “previously disturbed soils” will refer to soils that are not likely to possess intact and distinct soil horizons and have the reduced likelihood of possessing archaeological artifacts, features, and phenomena within their original depositional contexts.

#### **Tier I Allowances**

- I. GROUND DISTURBING ACTIVITIES AND SITE WORK**, when proposed activities described below substantially conform to the original footprint and/or are performed in previously disturbed soils and the area proposed to be disturbed does not exceed the previous disturbance in depth or footprint, including the area where the activity is staged.

## **A. Debris and Snow Removal**

1. Debris removal and collection, including removal of snow, uprooted trees, limbs and branches from public rights of way, public area and the transport and disposal of such waste to existing licensed waste facilities or landfills. Uprooted trees and exposed stumps must be removed in accordance with the stump removal policy in Appendix E. This includes the temporary establishment and expansion of non-hazardous debris staging, reduction, and disposal areas at licensed transfer stations, or existing hard-topped or graveled surfaces (e.g. parking lots, roads, athletic courts) but not the creation of new or temporary access roads.
2. Removal of debris from private property provided that buildings are not affected, ground disturbance is minimal and in-ground elements, such as driveways, walkways or swimming pools are left in place.
3. Chipping and disposal of woody debris by broadcasting within existing rights-of-way.
4. Sediment removal from man-made drainage facilities, including retention/detention basins, ponds, ditches, and canals, in order to restore the facility to its pre-disaster condition. The sediment may be used to repair eroded banks or disposed of at an existing licensed or permitted spoil site.
5. Dewatering flooded developed areas by pumping.

## **B. Temporary Structures and Housing**

1. Installation of temporary structures for uses such as school classrooms, offices, or shelters for essential public service agencies, such as police, fire, rescue and medical care, as well as temporary housing for disaster personnel and victims, at the following types of locations:
  - a. Single units on private residential sites when all utilities are installed above ground or tie into pre-existing utility lines.
  - b. Existing multi-family units.
  - c. Existing RV/Mobile Home Parks and campgrounds with pre-existing utility hookups.
  - d. Paved areas, such as parking lots and paved areas at such facilities as conference centers, shopping malls, airports, business parks, military bases when all utilities are installed above ground or tie into pre-existing utility lines.
  - e. Sites that have been previously cleared and prepared for planned construction, such as land being developed for public housing, office buildings, city parks, ball fields, military bases, schools, etc. when all utilities are installed above-ground or tie into pre-existing utility lines.

- f. Areas previously filled to depths of at least six feet so that subsurface utilities can be installed.

### **C. Recreation and Landscaping**

1. Installation of temporary removable barriers.
2. In-kind repairs or replacement, and minor upgrades/mitigation of bollards and associated protective barriers when in previously disturbed areas.

## **II. BUILDINGS**

- A. Repair or retrofit of buildings less than 45 years old.
- B. Removal of water by physical or mechanical means.
- C. Installation of grab bars and other such minor interior modifications required for compliance with the Americans with Disabilities Act (ADA).
- D. Installation of security bars over windows on rear elevations.
- E. Sheltering and Temporary Essential Power (STEP) Pilot Program: The STEP program provides essential power to affected residents and thereby reduces the demand for other shelter options by allowing individuals to return to or remain in their home while awaiting major repairs. STEP accomplishes this by 3 measures:
  1. Residential Meter Repairs: Repairs to exterior weather head, service cable, and meter box.
  2. Temporary Essential Electric Measures: Repairs to restore temporary power to residences where the utility will not turn the power back on due to damages in order to restore a minimal amount of power to allow heat and/or hot water and some power to targeted appliances, including installation of a temporary power supply, outlet panels, and other equipment that will be removed when permanent repairs are made.
  3. Rapid Temporary Exterior Repairs: Securing broken windows, covering damaged exterior walls and patching or otherwise securing damaged exterior doors. These repairs utilize raw, unfinished materials for temporary emergency repairs, such as plywood secured with a padlock.

## **III. TRANSPORTATION FACILITIES**, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including any staging areas.

### **A. Roads and Roadways**

1. Repair of roads to pre-disaster geometric design standards and conditions using in-kind materials, shoulders medians, clearances, curbs, and side slopes. This allowance does not include improvement to existing roadways and appurtenances.
2. Construction of temporary emergency access roads in previously disturbed soils to allow for passage of emergency vehicles.
3. Repairs to road slips and landslides that do not require grading of undisturbed soils on the up-hill side of the slip.
4. Re-establishment, armoring and/or upgrading of existing roadway ditches.
5. In-kind repair or replacement of traffic control devices such as traffic signs and signals, delineators, pavement markings, traffic surveillance systems.
6. Installation and removal of temporary traffic control devices, including pre-formed concrete barriers and fencings.
7. In-kind repair or replacement of roadway safety elements such as barriers, guardrails, and impact-attenuation devices. In the case of guardrails, the addition of safety end treatments is allowed.

#### **B. Airports**

1. In-kind repair or replacement of existing runway surfaces and features (e.g. asphalt, concrete, gravel, and dirt) and associated air transportation safety components and systems (e.g. lighting bars, beacons, signage and weather sensors).

#### **C. Rail Systems**

1. In-kind repair or replacement of safety components.
2. In-kind repair or replacement of existing track system and passenger loading areas.

### **Tier II Allowances**

- I. GROUND DISTURBING ACTIVITIES AND SITE WORK**, when proposed activities described below substantially conform to the original footprint and/or are performed in previously disturbed soils, including the area where the activity is staged.

#### **A. Footings, Foundations, Retaining Walls, Slopes, and Slope Stabilization Systems**

1. In-kind repair, replacement, and reinforcement of footings, foundations, retaining walls, slopes, and slope stabilization systems (e.g., gabion baskets, crib walls, soldier pile and lag walls) if related ground disturbing activities are within the boundary of previously disturbed soils.

2. Installation of perimeter drainage (e.g. French drains) when performed in previously disturbed soils.

#### **B. Recreation and Landscaping**

1. In-kind repairs or replacement, and minor upgrades to recreational facilities and features (e.g. playgrounds, campgrounds, fire pits, dump stations and utility hook-ups, swimming pools, athletic fields and signage, batting cages, basketball courts, swing sets, pathways, simple wooden/wire stream crossings).
2. In-kind repair, replacements, and minor upgrades to landscaping elements (e.g., fencing, free standing walls, paving, planters, irrigation systems, lighting elements, signs, flag poles, ramps, steps).

#### **C. Piers, Docks, Boardwalks, Boat Ramps, and Dune Crossovers**

1. In-kind repair and replacement and minor upgrades to existing piers, docks, boardwalks, boat ramps and dune crossovers in areas of previously disturbed soils.

#### **D. Cemeteries**

1. Removal of woody debris such as branches, limbs, and uprooted trees from cemeteries, provided that heavy equipment and other machinery are not operated or staged on areas potentially containing human remains. Uprooted trees and exposed stumps must be removed in accordance with the stump removal policy in Appendix E. If this condition does not adequately protect human remains, then monitoring will be required by an archaeologist who meets the Secretary's Professional Qualifications Standards to oversee stump removal.

## **II. BUILDINGS**

#### **1. Interior Work: Floors, Walls, Stairs, Ceilings and Trim**

1. In-kind repair and replacement of floors, walls, stairs, ceilings, and/or trim. The allowance does not apply to decorative finishes, including murals, glazed paint, gold leaf, or ornamental plaster.
2. Interior cleaning of surfaces using a weak solution of household bleach and water, mold remediation, or mold removal. The allowance applies to interior finishes, including plaster and wallboard, provided the cleaning is restricted to damaged areas and does not affect adjacent materials.
3. Non-destructive or concealed testing for hazardous materials (e.g., lead paint, asbestos) or for assessment of hidden damages.

#### **B. Utilities and Mechanical, Electrical, and Security Systems**

1. In-kind repair or replacement, or limited upgrading of interior utility systems, including mechanical (e.g., heating, ventilation, air conditioning), electrical, and plumbing systems. This allowance does not provide for the installation of new exposed ductwork.
2. Elevation of heating, ventilation, and air conditioning system (HVAC) and mechanical equipment as long as it is placed or located where it is not highly visible from the street.
3. Replacement or installation of interior fire detection, fire suppression, or security alarm systems. The allowance does not apply to surface mounted wiring, conduits, piping, etc., unless previously existing, provided that installation of the system hardware does not damage or cause the removal of character-defining architectural features and can be easily removed in the future.
4. Installation of building communication and surveillance security systems, such as cameras, closed-circuit television, alarm systems, and public address systems, provided that installation of the system hardware does not damage or cause the removal of character defining architectural features and can be easily removed in the future.
5. Installation of building access security devices, such as card readers, enhanced locks, and security scanners (e.g., metal detectors), provided the device does not damage or cause the removal of character-defining architectural features and can be removed in the future without impacts to significant architectural features.

### **C. Windows and Doors**

1. In-kind repair of damaged or severely deteriorated windows and window frames,, shutters, storm shutters, doors and door frames, and associated hardware, where profiles, elevations, details and materials match those of the originals.
2. In-kind replacement of window panes. Clear plate, double, laminated or triple insulating glazing can be used, provided it does not result in altering the existing window material, tint, form, muntin profiles, or number of divided lights. This allowance does not apply to the replacement of existing intact archaic or decorative glass.
3. Replacement of exterior, utilitarian, non-character-defining metal doors and frames leading into non character-defining spaces with metal blast resistant doors and frames.

### **D. Exterior Walls, Cornices, Porches, and Foundations**

1. In-kind repainting of surfaces, provided that destructive surface preparation treatments are not used, such as water blasting, sandblasting, power sanding and chemical cleaning.
2. In-kind repair of walls, porches, foundations, columns, cornices, siding, balustrades, stairs, dormers, brackets, trim, and their ancillary components or in-kind replacement of severely deteriorated or missing or lost features, as long as the replacement pieces match the original in detail and material. Any ground disturbance will be limited to previously disturbed soils.
3. In-kind repair or replacement of signs or awnings.
4. Installation of temporary stabilization bracing or shoring, provided such work does not result in additional damage.
5. Anchoring of walls to floor systems, provided the anchors are embedded and concealed from exterior view.
6. In-kind repair of concrete and masonry walls, columns, parapets, chimneys, or cornices or limited in-kind replacement of damaged components including comparable brick, and mortar that matches the color, strength, content, rake, and joint width.
7. Bracing and reinforcing of walls, chimneys and fireplaces, provided the bracing and reinforcing are either concealed from exterior view or reversible in the future.
8. Strengthening of foundations and the addition of foundation bolts, provided that visible new work is in-kind, including mortar that matches the color, content, strength, rake, and joint width where occurring.
9. Repairs to and in-kind replacement of elements of curtain wall assemblies or exterior cladding that is hung on the building structure, usually from floor to floor, and when the color, size reflectivity, materials, and visual patterns are unaltered.

#### **E. Roofing**

1. Installation of scaffolding, polyethylene sheeting, or tarps, provided such work will not result in additional damage or irreversible alterations to character defining features.
2. In-kind repair or replacement of roofing, of roofing, rafters, fascia, soffits, gutters, verge boards, leader boxes, downspouts, or other damaged roof system components.
3. Repairs to a flat roof cladding, including changes in roofing materials, where the repairs are not highly visible from the ground level.

#### **F. Weatherproofing and Insulation**

1. Caulking and weather-stripping to complement the color of adjacent surfaces or sealant materials.
2. In-kind repair or replacement of insulation systems, provided that existing interior plaster, woodwork, exterior siding, or exterior architectural detail is not altered.

#### **G. Structural Retrofits**

1. The installation of the following retrofits/upgrades, provided that such upgrades are not visible on the exterior: attic bracing, cross bracing on pier and post foundations; fasteners; collar ties; gussets; tie downs; strapping and anchoring of mechanical, electrical, and plumbing equipment; concealed anchoring of furniture; installation of plywood diaphragms beneath first floor joists, above top floor ceiling rafters, and on roofs; and automatic gas shut off valves.
2. Replacement, repair or installation of lightning rods.

### **III. TRANSPORTATION FACILITIES**, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including the area where the activity is staged.

#### **A. Roads and Roadways**

1. Repair of roads to pre-disaster geometric design standards and conditions using in-kind materials, shoulders, medians, clearances, curbs, and side slopes. This allowance permits minor improvement to meet current code and standards or hazard mitigation measures, such as those designed to harden exposed surfaces, including the application of gravel armoring to side slopes and ditches.
2. In kind repair to historic paving materials for roads and walkways.
3. In-kind repair or replacement, or minor upgrade of culvert systems and arches beneath roads or within associated drainage systems, including provision of headwalls, riprap and any modest increase in capacity for the purposes of hazard mitigation or to meet current codes and standards, provided that the work substantially conforms to the existing footprint. For stone or brick culverts or arches beneath roadways, this allowance only applies to in-kind repair.
4. In-kind repair or replacement of road lighting systems, including period lighting fixture styles.
5. In-kind repair or replacement of road appurtenances such as curbs, berms, fences, and sidewalks.

#### **B. Bridges**

1. Installation of a temporary (Bailey-type) bridge over an existing structure or at a previously disturbed location, such as a former bridge location, to allow passage of emergency vehicles.
2. In-kind repair or replacement of bridges and bridge components (e.g. abutments, wing walls, piers, decks, and fenders in previously disturbed soils).

**IV. UTILITIES, COMMUNICATIONS SYSTEMS AND TOWERS, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including the area where the activity is staged.**

**A. General**

1. In-kind repair or replacement, or minor upgrading, small scale realignment, and elevation of utilities and associated features and structures within previously disturbed soils of rights-of-way or utility corridors.
2. Installation of new utilities and associated features within existing rights-of-way.
3. Directional boring of new/replacement service line and related appurtenances involving boring or silt trenches within previously disturbed soils of rights-of-way or utility corridors.
4. In-kind repair or replacement, or minor upgrade of water towers provided activities take place within previously disturbed soils. Ground-level facilities may be added or expanded in previously disturbed areas. This allowance does not apply to masonry water towers.

**B. Generators and Utilities**

1. In-kind repair or replacement, or minor upgrades elevation, and/or installation of generators, HVAC systems, and similar equipment provided activities occur within previously disturbed soils and any roof mounted equipment is not visible from the ground level.

**C. Communication Equipment/Systems and Towers**

1. Acquisition, installation, or operation of communication and security equipment/systems that use existing distribution systems, facilities, or existing infrastructure right-of-way.
2. The collocation of communication and security equipment on existing towers and buildings/structures less than 45 year in age, provided that the work does not increase existing tower height or footprint by more than 10% and occurs within previously disturbed soils.

3. Enhancement, repair or replacement of existing communication towers and antenna structures provided the work does not increase existing tower height or footprint by more than 10% and occurs within previously disturbed soils.
4. Installation of new temporary (not to exceed 12 months) communications towers and antenna structures provided that the work occurs does not require modification of buildings/structures older than 45 years and occurs within previously disturbed soils.
5. Installation of new communication towers, less than 200 feet tall, in previously developed urban complexes when the work does not require modification of buildings/structures older than 45 years, occurs within previously disturbed soils and is not within 500 feet of the boundaries of a historic property.

**V. WATER RESOURCE MANAGEMENT AND CONTROLS**, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including the area where the activity is staged.

**A. Canal Systems**

1. In-kind repairs or replacement to canal systems and associated elements.

**B. Breakwaters, Seawalls, Revetments, and Berms**

1. In-kind repair or replacement of breakwaters, seawalls, and revetments, provided the work occurs in previously disturbed soils.

**C. Dams, Levees, and Floodwalls**

1. In-kind repair of dams, levees, floodwalls and related features, including spillways, tide gates, and fuse plugs, provided the work occurs in previously disturbed soils.

**D. Fish Hatcheries**

1. In-kind repair or replacement of fish hatcheries and fish ladders.

**E. Waste-Water Treatment Lagoon Systems**

1. In-kind repair or replacement, or minor upgrades of waste-water treatment lagoon systems.

**VI. OTHER PROGRAM ACTIVITIES**

**A. Elevation, Demolition, and Reconstruction**

1. Activities related to the elevation, demolition and/or reconstruction of buildings or structures less than 45 years of age so long as the proposed activities substantially

conform to the original footprint and/or are performed in previously disturbed soils including any staging area, and the buildings or structures are not located within or adjacent to a National Register or LPC historic district.

**B. Safe Rooms**

1. Installation of individual safe rooms within the property limits of a residence where the installation will occur within an existing structure or building that is less than 45 years of age and has been determined by FEMA not to be significant under Criterion G, or within previously disturbed soils.

## Appendix C

### Treatment Measures

**[to be negotiated on a state-by-state basis]**

**The following Treatment Measures are suggested for the resolution of Adverse Effects:**

If Undertakings result or will result in adverse effects, FEMA, the SHPO, OEM, and Participating Tribes(s), may develop a treatment measure plan that includes one or more of the following Treatment Measures, depending on the nature of historic properties affected and the severity of adverse effects. If an Undertaking will adversely affect a LPC designated or calendared properties, LPC may participate in development of a treatment measure plan. This Appendix may be amended in accordance with Stipulation IV.A.3 of this Agreement, Amendments.

#### A. Recordation Package

1. **Digital Photography Package:** Prior to project implementation, the designated responsible party shall oversee the successful delivery of a Digital Photography Package prepared by staff or contractors that meet the Secretary's Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate. The Digital Photography Package will meet the standards cited in the National Park Service's *National Register of Historic Places Photographic Policy March 2010* or subsequent revisions (<http://www.nps.gov/nr/publications/bulletins/photopolicy/index.htm>).
  - a. The Digital Photography Package shall include a comprehensive collection of photographs of both interior and exterior views showing representative spaces and details of significant architectural features and typical building materials. Exterior photographs shall include full oblique and contextual images of each elevation. Exterior views shall be keyed to a site plan while interior views shall be keyed to a floor plan of the building/structure. The photographs shall be indexed according to the date photographed, site number, site name, site address, direction, frame number, subject matter and photographer's name recorded on the reverse side in pencil.
  - b. The Digital Photography Package shall include printed color copies of the digital photographs (on appropriate paper, per *NPS Photographic Policy*), a CD/DVD of the digital photographs, a completed state architectural inventory form, and a written site history of the historic property.
  - c. The designated responsible party shall submit the Digital Photography Package to the SHPO and Participating Tribe(s) for review and approval. Once approved by the SHPO and Participating Tribe(s), the designated responsible party shall submit full copies of the approved Digital Photography Package to \_\_\_\_\_ for permanent retention.

2. **35 mm Black and White Film Photography Package:** Prior to project implementation, the designated responsible party shall oversee the successful delivery of a 35 mm Black and White Film Photography Package prepared by staff or contractors that meet the Secretary's Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate.
  - a. The 35 mm Black and White Film Photography Package shall include a comprehensive collection of photographs of both interior and exterior views showing representative spaces and details of significant architectural features and typical building materials. Exterior photographs shall include full oblique and contextual images of each elevation. Exterior views shall be keyed to a site plan while interior views shall be keyed to a floor plan of the building/structure. The photographs shall be indexed according to the date photographed, site number, site name, site address, direction, frame number, subject matter and photographer's name recorded on the reverse side in pencil.
  - b. The 35 mm Black and White Film Photography Package shall include one (1) full set of 35mm film black and white photographs printed on acid free paper, the corresponding 35mm film negatives in acid free sleeves, a completed state architectural inventory form, and a written site history of the historic property.
  - c. The designated responsible party shall submit the 35 mm Black and White Film Photography Package to the SHPO and Participating Tribe(s) for review and approval. Once approved by the SHPO and Participating Tribe(s), the designated responsible party shall submit full copies of the approved 35 mm Black and White Film Photography Package to \_\_\_\_\_ for permanent retention.
3. **Large Format Film Photography Package:** Prior to project implementation, the designated responsible party shall oversee the successful delivery of a Large Format Film Photography Package prepared by staff or contractors that meet the Secretary's Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate.
  - a. The Large Format Film Photography Package shall include a comprehensive collection of photographs of both interior and exterior views showing representative spaces and details of significant architectural features and typical building materials. Exterior photographs shall include full oblique and contextual images of each elevation. Exterior views shall be keyed to a site plan while interior views shall be keyed to a floor plan of the building/structure. The photographs shall be indexed according to the date photographed, site number, site name, site address, direction, frame number, subject matter and photographer's name recorded on the reverse side in pencil.

- b. The Large Format Film Photography Package shall include one (1) full set of 4 x 5 or 5 x 7-inch photographs printed on acid free paper, the corresponding 4 x 5 or 5 x 7-inch negatives in acid free sleeves, a completed state architectural inventory form, and a written site history of the historic property.
- c. The designated responsible party shall submit the Large Format Film Photography Package to the SHPO and Participating Tribe(s) for review and approval. Once approved by the SHPO and affected Tribe(s), the designated responsible party shall submit full copies of the approved Large Format Film Photography Package to \_\_\_\_\_ for permanent retention.

**B. Design Review by SHPO and Participating Tribe(s)**

Prior to project implementation, FEMA, the Grantee, and subgrantee shall work with the SHPO and Participating Tribe(s) to develop a historically compatible design. Plans and specifications will, to the greatest extent feasible, preserve the basic character of a building. Primary emphasis shall be given to the major street elevations that are visible. Significant contributing features (e.g. trim, windows, doors, porches) will be repaired or replaced with either in-kind materials or materials that come as close as possible to the original materials in basic appearance. Aesthetic camouflaging treatments such as use of veneers, paints, texture compounds and other surface treatments and/or use of sympathetic infill panels and landscaping features will be employed to the greatest extent feasible. Final construction drawings used in the bidding process will be submitted to the SHPO and Participating Tribe(s) for review and comment prior to the award of a construction contract and the initiation of construction activities.

**C. Tribal Treatment Plan**

FEMA shall work with the Participating Tribe(s) to develop a plan for the protection and treatment of, including but not limited to, Native American remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, for known sites and in the event that any are discovered in conjunction with the Undertaking, including archaeological studies, excavation, geotechnical investigations, grading, and all ground-disturbing activity. The plan will also formalize procedures for Tribal monitoring during archaeological studies, grading, and ground disturbing activities for the Undertaking. No photography of Native Americans human remains or funerary objects will be allowed. No photography of Native Americans human remains or funerary objects will be allowed.

**D. Public Interpretation**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO and Participating Tribe(s) to design an educational interpretive plan. The plan may include signs, displays, educational pamphlets, websites, workshops and other similar mechanisms to educate the public on historic properties within the local community, state, or region. Once an interpretive plan has been agreed to by the parties, SHPO, Participating

Tribe(s), and the designated responsible party will continue to consult throughout implementation of the plan until all agreed upon actions have been completed by the designated responsible party.

#### **E. Historical Context Statements and Narratives**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO and Participating Tribe(s) to determine the topic and framework of a historic context statement or narrative the designated responsible party shall be responsible for completing. The statement or narrative may focus on an individual property, a historic district, a set of related properties, or relevant themes as identified in the statewide preservation plan. Once the topic of the historic context statement or narrative has been agreed to, the designated responsible party shall continue to coordinate with the SHPO and Participating Tribe(s) through the drafting of the document and delivery of a final product. The SHPO and Participating Tribe(s) shall have final approval over the end product. The designated responsible party will use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

#### **F. Oral History Documentation**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO and Participating Tribe(s) to identify oral history documentation needs and agree upon a topic and list of interview candidates. Once the parameters of the oral history project have been agreed upon, the designated responsible party shall continue to coordinate with the SHPO and Participating Tribe(s) through the data collection, drafting of the document, and delivery of a final product. The SHPO and Participating Tribe(s) shall have final approval over the end product. The designated responsible party will use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

#### **G. Historic Property Inventory**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO and Participating Tribe(s) to establish the appropriate level of effort to accomplish a historic property inventory. Efforts may be directed toward the resurvey of previously designated historic properties and/or districts which have undergone change or lack sufficient documentation, or the survey of new historic properties and/or districts that lack formal designation. Once the boundaries of the survey area have been agreed upon, the designated responsible party shall continue to coordinate with the SHPO and Participating Tribe(s) through the data collection process. The designated responsible party will use SHPO and Participating Tribe(s) standards for the survey of historic properties and SHPO and Participating Tribe(s) forms as appropriate. The designated responsible party will prepare a draft inventory report, according to SHPO and Participating Tribe(s) templates and guidelines, and work with the SHPO and Participating Tribe(s) until a final property inventory is approved. The designated responsible party will use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

#### **H. National Register and National Historic Landmark Nominations**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO, and Participating Tribe(s) to identify the individual properties that would benefit from a completed National Register or National Historic Landmark nomination form. Once the parties have agreed to a property, the designated responsible party shall continue to coordinate with the SHPO and Participating Tribe(s) through the drafting of the nomination form. The SHPO and Participating Tribe(s) will provide adequate guidance to the designated responsible party during the preparation of the nomination form and shall formally submit the final nomination to the Keeper for inclusion in the National Register. The designated responsible party will use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

#### **I. Geo-References of Historic Maps and Aerial Photographs**

Prior to project implementation, FEMA, OEM, and the subgrantee will work with the SHPO and Participating Tribe(s) to identify the historic maps and/or aerial photographs for scanning and geo-referencing. Once a list of maps and/or aerial photographs have been agreed upon, the designated responsible party shall continue to coordinate with the SHPO and Participating Tribe(s) through the scanning and geo-referencing process and shall submit drafts of paper maps and electronic files to them for review. The SHPO and Participating Tribe(s) shall have final approval on the quality of the documentation provided by the designated responsible party. The final deliverable shall include a paper copy of each scanned image, a geo-referenced copy of each scanned image, and the metadata relating to both the original creation of the paper maps and the digitization process.

## APPENDIX D

**TO THE PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

**WHEREAS**, as a result of Hurricane Sandy (DR-4085-NY) (Disaster Declaration), the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*) (Stafford Act); the National Flood Insurance Act of 1968, Pub. L. No. 90-448 (1968) (as amended); the Flood Disaster Protection Act of 1973, Pub. L. No. 93-234 (1973) (as amended); the National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325 (1994) (as amended); and implementing regulations contained in Title 44 of the Code of Federal Regulations (C.F.R.), proposes to provide assistance through the New York State Office of Emergency Management (OEM); and

**WHEREAS**, FEMA consulted with OEM, the New York State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP) and the New York City Landmarks Preservation Commission (LPC) to develop and execute a Programmatic Agreement (Agreement) for its disaster recovery activities, executed on May 9, 2013; and

**WHEREAS**, under the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, January 29, 2013), the U.S. Department of Housing and Urban Development (HUD) allocated funds for disaster recovery activities to New York State and New York City, each of which is executing a separate Appendix D Addendum to the Agreement; and

**WHEREAS**, New York City Office of Management & Budget (NYCOMB) as the Responsible Entity for New York City has assumed HUD's environmental responsibilities and is responsible for environmental review, decision-making and action, pursuant to Section 104(g) of the Housing and Community Development Act of 1974 and 24 CFR Part 58, and proposes to administer Community Development Block Grant – Disaster Recovery (CDBG-DR) funds pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, January 29, 2013); and

**WHEREAS**, the CDBG-DR funds will support activities that fall within the scope of programs authorized under the terms of this Agreement and Appendix A (Program activities); and

**WHEREAS**, to efficiently and expeditiously deliver disaster recovery assistance to those affected by Hurricane Sandy, there is an opportunity to coordinate and align Section 106 reviews of disaster recovery projects that may have multiple funding sources; and

**WHEREAS**, Stipulation I.A.3. of this Agreement allows other Federal agencies to fulfill their Section 106 responsibilities for those types of undertakings addressed in this Agreement by fully accepting all the terms of the Agreement and executing this Addendum; and

**WHEREAS**, in keeping with the attached 1986 Memorandum of Agreement, or subsequent revision, regarding Section 106 identification and evaluation of historic properties, NYCOMB will designate the New York City Landmarks Preservation Commission (LPC) as Qualified Staff to participate in Identification and Evaluation per Stipulation II. D.3; and

**WHEREAS**, NYCOMB will ensure that staff who meet the Secretary's Professional Qualification Standard will review Tier II projects and will provide resumes of such staff to the signatories to this Addendum;

**NOW, THEREFORE**, NYCOMB agrees to assume the federal agency role and accept the terms and conditions of the Agreement, as appropriate under HUD's authorizing legislation and regulations, and thereby take into account the effect of its undertakings and satisfy its Section 106 responsibilities for the CDBG-DR program for activities in New York City.

**EXECUTION AND IMPLEMENTATION** This Addendum to the Agreement may be implemented in counterparts, with separate signature pages, and will become effective on the date of the final signature of the Signatory Parties. Execution and Implementation of this Addendum to the Agreement evidences that New York City Office of Management & Budget (NYCOMB) has taken into account the effects of its undertakings on historic properties, and that through the execution of this Addendum and implementation of the Agreement, NYCOMB will satisfy its responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations for the referenced CDBG-DR program for activities in New York City.

**APPENDIX D**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Signatory:  
FEDERAL EMERGENCY MANAGEMENT AGENCY

By:   
By MaryAnn Tierney  
Acting Regional Administrator, Region II

Date: 6/24/13

**APPENDIX D**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Signatory:

**NEW YORK STATE HISTORIC PRESERVATION OFFICER**

By: Ruth Pierpont Date: 6/25/13  
By: Ruth Pierpont  
New York Deputy Commissioner/New York Deputy State Historic Preservation Officer

APPENDIX D

PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY

Signatory:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: John M. Fowler  
By: John M. Fowler  
Executive Director

Date: 10/26/13

APPENDIX D

PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY

Signatory:

NEW YORK CITY OFFICE OF MANAGEMENT AND BUDGET

By: \_\_\_\_\_

By: Mark Page

Director of Management and Budget

Date: \_\_\_\_\_

6/25/13

**APPENDIX D**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER,  
THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT,  
THE DELAWARE NATION,  
THE DELAWARE TRIBE OF INDIANS,  
THE SHINNECOCK NATION,  
THE STOCKBRIDGE-MUNSEE COMMUNITY BAND OF MOHICANS,  
THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION,  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
AS A RESULT OF HURRICANE SANDY**

Concurring Party:

**NEW YORK CITY LANDMARKS PRESERVATION COMMISSION**

By: \_\_\_\_\_

By: Robert B. Tierney

Chair, The New York City Landmarks Preservation Commission

Date: \_\_\_\_\_

6/21/13

# Advisory Council On Historic Preservation

The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004



## MEMORANDUM OF AGREEMENT

WHEREAS, the City of New York, New York (City), has determined that the proposed implementation of its Community Development Block Grant Program, Urban Development Action Grant Program, Rental Rehabilitation Program, and Housing Development Grant Program (Programs), with funds from the Department of Housing and Urban Development (HUD), will have an effect on properties included in or eligible for inclusion in the National Register of Historic Places and has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800),

WHEREAS, the City's Unsafe Building Demolition and Seal-Up Program is covered under a separate Memorandum, and

WHEREAS, this Memorandum of Agreement will supercede previous Memoranda ratified February 9, 1981, and July 28, 1981,

NOW, THEREFORE, the City, the New York State Historic Preservation Officer (SHPO), and the Council agree that the Programs shall be implemented in accordance with the following stipulations in order to take into account the effect of the programs on historic properties.

### Stipulations

The City will ensure that the following measures are carried out.

#### 1. Long Range Identification.

A comprehensive survey of the City will be continued to identify districts, sites, buildings, structures, and objects (hereafter "properties") that may meet the Criteria for listing in the National Register of Historic Places (36 CFR Section 60.6). The survey will be conducted in accordance with the "Guidelines for the Location and Identification of Historic Properties Containing Scientific, Prehistoric, Historical, or Archeological Data" (36 CFR Part 66, Appendix B). The New York City Landmarks Preservation Commission (LPC) will keep a comprehensive record of all properties surveyed.

(a) Upon completion of the survey, LPC, on behalf of the City and in consultation with the New York SHPO, will apply the National Register Criteria to the properties identified in the survey.

(b) If there is any question concerning the eligibility of a property, the City sponsoring agency will submit the matter to the Secretary of the Interior for a determination of eligibility for inclusion in the National Register, in accordance with 36 CFR 63.2

(c) Properties which have been determined to meet the National Register criteria and which are designated New York City Landmarks will be nominated by LPC, on behalf of the City, to the National Register through the process provided for in the State of New York.

## 2. Interim Identification.

Until the survey is completed, properties that may be affected by the Programs will be evaluated by LPC, on behalf of the City, against the National Register criteria. This process of evaluation is detailed in the attached "New York City Process."

(a) Properties that appear to meet the Criteria will be considered and treated as eligible for the National Register of Historic Places.

(b) If there is any question as to whether a property may meet the Criteria, the City sponsoring agency will request a determination of eligibility from the Secretary of the Interior in accordance with 36 CFR Section 63.2.

## 3. Review and Treatment.

Properties that are determined eligible for the National Register, nominated to the National Register, or listed in the National Register, will be treated in the following manner:

(a) Prior to initiating work on a project, the City sponsoring agency will submit documentation on the project to the New York SHPO for review and comment, following the process detailed in the attached "New York City Process."

(b) Properties that are to be rehabilitated will be rehabilitated in accordance with the recommended approaches in "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Standards). The City will require that contracts for rehabilitation work adhere to the Standards.

(c) If the Standards cannot be met, or the proposed treatment of the property is not rehabilitation, or demolition is contemplated, or if the contemplated action could have an indirect effect on such properties, prior to taking any action, the City sponsoring agency will consult with the New York SHPO and obtain the Council's comments pursuant to 36 CFR Section 800.6(a), (b) and Section 801.4(b), (c).

(d) Funding of commercial moving costs and purchase of machinery and equipment will be exempt from the above-mentioned review process.

4. Ground-disturbing activity

(a) Prior to any ground-disturbing activity, LPC, on behalf of the City, will determine the archeological sensitivity of project areas. For those areas determined archeologically sensitive, the city sponsoring agency will submit documentation to the New York SHPO. This review process is detailed in the attached "New York City Process."

(b) If, after reviewing the documentation, the New York SHPO, in consultation with LPC, determines that the potential for significant archeological resources exists, then an archeological survey (field testing) of the affected area will be undertaken by the City sponsoring agency in consultation with the New York SHPO.

(c) The New York SHPO will evaluate the results of the survey and determine if there are archeological resources eligible for the National Register. If eligible resources exist, they will be avoided or preserved in place whenever feasible. When this is not feasible, the New York SHPO will be consulted, and a treatment consistent with the Council's handbook, "Treatment of Archeological Properties," and approved by the New York SHPO will be developed and implemented.

5. Personnel Training

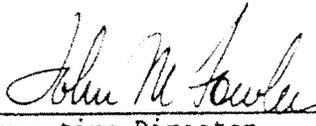
All City agencies receiving funding through the Programs will send a representative to an annual training session with the New York SHPO staff architect on the application of the Standards.

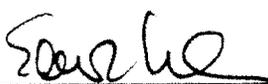
6. Renewal.

This Memorandum of Agreement will continue in force in perpetuity. At two year intervals, the City and the New York SHPO will review and evaluate the Memorandum for possible modifications, termination, or extension. At the request of any of the parties, this Agreement may be reviewed for possible modification or termination at any time.

Execution of this Memorandum of Agreement evidences that the City has afforded the Council a reasonable opportunity to comment on the Programs and that the City has taken into account the effects of the Programs on historic properties.

DEPUTY

  
\_\_\_\_\_  
(date) 7/19/85  
Executive Director  
Advisory Council on Historic Preservation

  
\_\_\_\_\_  
(date) 10/4/85  
City of New York, New York

*Julia S. Hope* (date) 12/11/85  
New York State Historic Preservation  
Officer

*Thomas J. Baker* (date) 3 Jan '86  
Chairman  
Advisory Council on Historic Preservation

## NEW YORK CITY PROCESS

The following process applies to activities funded through the Community Development Block Grant Program, the Urban Development Action Grant Program, the Rental Rehabilitation Program, and the Housing Development Grant Program (Programs).

1. All City agencies requesting funding through the Programs will send the Environmental Review Unit of Budget (OMB) three copies of the environmental reviews. OMB will send the New York City Landmarks Preservation Commission (LPC) one copy of the environmental review. The City sponsoring agency, ~~when required by LPC~~, will send photographs and maps itemizing properties under consideration.

2. LPC will analyze each review and will send OMB a response, within two weeks of receipt of the reviews, indicating those projects which may affect properties that are listed in the National Register of Historic Places or, in LPC's opinion, appear to meet the criteria for listing in the National Register, or which are proposed for areas that appear to be archeologically sensitive.

LPC shall consider the following criteria when conducting its analysis:

(a) individual exterior significance of any property to be affected by the Programs;

(b) context of any property to be affected by the Programs (designated or potential historic district?)

(c) proximity of any property to be affected by the Programs to a designated or potential historic district.

In addition, for any project involving ground disturbance, LPC will evaluate the project area against the New York SHPO's "Archeological Site Sensitivity Model" and other documentation maintained by LPC to determine the area's likelihood of yielding significant archeological remains.

3. For all projects involving properties listed in the National Register of Historic Places, or that appear to meet the criteria for listing in the National Register, or that appear to be archeologically sensitive as determined by LPC, OMB will then notify the sponsoring agency to submit the Project Review Checklist, including maps and necessary photographs, to the New York State Historic Preservation Officer (SHPO) for review. For areas that appear to be archeologically sensitive, the sponsoring agency will submit an historical background report (Stage 1A archeological report) describing the developmental history of the area from prehistoric to present times; this report will also contain information concerning prior ground disturbance. The sponsoring agency will supply OMB with a copy of the Project Review Checklist and/or the archeological historical background report submitted to the New York SHPO.

4. Upon receipt of the Project Review Checklist, the New York SHPO will review the information supplied and comment in 30 days. If the sponsoring agency submission is inadequate to complete review, the New York SHPO will notify the City sponsoring agency and OMB within 15 working days. When the New York SHPO receives adequate information, the 30-day comment period will begin.

## **Appendix E**

### **Stump Removal Guidance**

Removal of stumps will be accomplished by attaching a chain to the stump and a piece of heavy equipment which will then pull the unexposed portion of the stump from the ground. If this method is not practicable, then the bucket of the machine will be used to grab and pull the stump out. Additional excavation in the surrounding soil will be avoided whenever possible and minimized when it is necessary. Void spaces will be backfilled with fill soil and any original loose native soil from the rootball when possible. Locations for proposed stump removal that are proposed to occur in areas with known archeological sites will undergo further evaluation and consultation. An archeologist will be present during the removal of rootballs within or adjacent to previously recorded archeological sites or when there are unexpected discoveries. If any potential archeological resources are discovered, work will immediately cease, and the Subgrantee or contractor will notify the Grantee and FEMA.



**The Delaware Nation**  
**Cultural Preservation Office**  
P.O. Box 825 - 31064 State Highway 281- Anadarko, OK 73005  
Phone: 405/247-2448 – Fax: 405/247-8905

NAGPRA ext. 1180  
Section 106 ext. 1181  
Museum ext. 1181  
Library ext. 1196  
Clerk ext. 1182

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May 16, 2013

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

Dear Mr. Kevin Donnelly,

The Delaware Nation Cultural Preservation Department received correspondence regarding the above referenced project. Our office is committed to protecting sites important to tribal heritage, culture and religion. Furthermore, the tribe is particularly concerned with archaeological sites that may contain human burials or remains, and associated funerary objects.

As described in your correspondence and upon research of our database(s) and files, we find that the Lenape people occupied this area either prehistorically or historically. However, the location of the project does not endanger cultural or religious sites of interest to the Delaware Nation. Please continue with the project as planned. However, should this project inadvertently uncover an archaeological site or object(s), we request that you halt all construction and ground disturbance activities and immediately contact the appropriate state agencies, as well as our office (within 24 hours).

Please Note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Cultural Preservation Office to conduct proper Section 106 consultation. Should you have any questions regarding this email or future consultation feel free to contact our offices at 405-247-2448 or by email [tfrancis@delawarenation.com](mailto:tfrancis@delawarenation.com).

Sincerely,

Mrs. Tamara Francis Fourkiller  
Cultural Preservation Director

CC: Nikki Ahtone (Assistant Director)  
[nahtone@delawarenation.com](mailto:nahtone@delawarenation.com)

**From:** [Donnelly, Kevin \(Recovery\)](#)  
**To:** [Berger, Sharon \(Recovery\)](#); [Gearrity, John \(HPD\)](#); [Castaneda, Catherine](#)  
**Cc:** [Gair, Brad \(Recovery\)](#)  
**Subject:** FW: Delaware Nation Contact  
**Date:** Monday, April 29, 2013 6:08:41 PM

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FYI,

Looks like Delaware got the letter. This is the correct contact person.

---

Kevin F. Donnelly, P.E. | Program Manager, NYC Houses | Mayor's Office, Housing Recovery Operations  
(o) (212) 615-8035 (c) (646) 283-9842 | [KDonnelly@recovery.nyc.gov](mailto:KDonnelly@recovery.nyc.gov)

. Please consider the environment before printing this email or any attachments therein.

-----Original Message-----

From: Tamara Francis [<mailto:TFrancis@delawarenation.com>]  
Sent: Monday, April 29, 2013 3:55 PM  
To: [KDonnelly@dep.nyc.gov](mailto:KDonnelly@dep.nyc.gov)  
Subject: Delaware Nation Contact

Good Afternoon Mr. Donnelly,

Mrs. Horn is not the Delaware Nation's THPO. But the Vice President's secretary.  
Please direct all inquiries of this nature to my office, please.

Sincerely,

Tamara Francis-Fourkiller  
Cultural Preservation Director/THPO  
Delaware Nation



April 26, 2013

Kerry Holton, President  
Delaware Nation Historic Preservation Office  
P.O. Box 825  
Anadarko, OK 73005  
[nhorn@delawarenation.com](mailto:nhorn@delawarenation.com)

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

Dear Mr. Holton:

The National Environmental Policy Act (NEPA) requires federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant (CDBG)-Disaster Recovery (DR) funded programs to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and EOs. NYC is conducting a two-tiered ER of several Programs. The purpose of the a Tier I ER is to facilitate review of environmental factors and regulations on a broad or programmatic-wide level. The following provides a brief description of the **NYC Houses Program** and, as part of its Tier I ER the City is requesting comments from the Delaware Tribal Nation. The Nation's comments or guidance will inform both tiers of the ER process.

New York City (NYC) was declared a disaster area prior to the October 29, 2012 landfall of Hurricane Sandy. On October 30th, President Obama issued a major disaster declaration for affected areas in the State of New York making disaster assistance available to those in the heaviest hit areas affected by the storm. Following damage assessments performed by the Federal Emergency Management Agency President Obama also signed into law the "Disaster Relief Appropriations Act, of January 29, 2013" (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Approximately 89 square miles of the City's land area (321 square miles) was inundated by Hurricane Sandy's floodwaters. Nearly 10% (846,056 persons) of the City's total population resided in these damaged neighborhoods situated throughout its five burroughs as shown in **Exhibit 1**. According to NYC analysis of damage to its housing stock in these neighborhoods, over 63,000 residential units were damaged or destroyed along with devastating impacts to other sectors.

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<sup>1</sup> <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

To specifically assist disaster recovery for the NYC housing sector, CDBG-DR funds in the amount of \$648,000,000 have been allocated by HUD<sup>2</sup>. As indicated in the City's CDBG-DR-required Hurricane Sandy Disaster Action Plan published on April 23, 2013, the NYC OMB will administer the funds received from HUD for the recovery of Hurricane Sandy-damaged housing. Of these funds, a portion is being specifically set aside to provide assistance under the Program. Its projects are designed to address unmet housing recovery needs of people affected by Hurricane Sandy, specifically homeowners and certain tenants of rental properties, to achieve permanent, sustainable housing solutions that allow them to remain in NYC and, where possible, return to their neighborhoods. CDBG-DR funds, in the amount of \$340,000,000, are targeted for the Program to assist the needs of eligible applicants who occupied single-family homes (1 to 4 units) impacted by the hurricane. The Program will offer three core housing recovery paths to eligible project beneficiaries by providing different assistance types for owners of NYC houses that fall into one of the following three categories of damage to housing:

- Reconstruction: Residential property that has been destroyed or is more expensive to rehabilitate than to reconstruct;
- Major rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the Program; and
- Moderate Rehabilitation: Residential property that was damaged by Hurricane Sandy, but is not destroyed and does not have substantial damage as determined by the Program.

All demolition, rehabilitation, and reconstruction work will be completed to applicable building codes and standards, local ordinances, zoning, and permitting requirements. The assistance will be provided in the form of deferred forgivable loans. In accordance with the Federal Register<sup>3</sup> at least 50% of the CDBG-DR funds must be used for project activities that benefit eligible low to moderate income households. This Program is anticipated to provide permanent, sustainable housing solutions that allow these residents to remain in NYC, returning to their neighborhoods, where possible. All grants, loan amounts or other eligible programs will be based on damage to the original dwelling, plus the funds necessary to meet applicable housing quality standards, local, state and/or federal building codes, and funds necessary for mitigation efforts to reduce the risk of damage from future storm events. This housing assistance is specifically targeted to existing residential properties, construction activities will occur on original home sites, and not result in increased population density.

The area of potential effects for this Program includes residential properties in hurricane-damaged neighborhoods of NYC inadequately covered by homeowner insurance policies, where the owners lack sufficient funds to perform the repair themselves, and where the applicants satisfy eligibility requirements. The exact number and location of hurricane-damaged home sites to be addressed is not known at this time since homeowner eligibility for housing assistance funds must be determined on a case by case basis. The two-tiered ER consists of a Tier I Environmental Review (ER) and Tier II site-specific assessments. The purpose of the Tier I ER is to facilitate review of environmental factors and regulations on a broad or programmatic-wide level. Any environmental compliance factors and/or regulations determined through the Tier I ER to be affected by the Program or to have a potential affect on the Program will be addressed by the site-specific environmental reviews, once specific home sites are known. Site-specific environmental assessments will include desktop reviews of field inspections that document property conditions in order to determine environmental compliance requirements of the proposed construction activities.

NYC has reviewed information available from its Department of Housing Preservation & Development, its Landmarks Preservation Commission, the New York State Historic Preservation Office, and the US Department of the Interior for guidance regarding compliance with Section 106 of the National Historic Preservation Act (NHPA) and the Native American Graves Protection and Repatriation Act (NAGPRA). It was noted during this

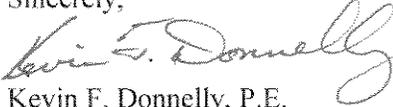
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<sup>2</sup> For additional information regarding Hurricane Sandy housing and other recovery efforts in New York City <http://www.nyc.gov/html/recovery/html/housing/housing.shtml>

<sup>3</sup> Federal Register 5696-N-01:Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy, March 5, 2013.

review that the NYC Counties of Bronx, New York (Burrough of Manhattan), Queens, and Richmond (Burrough of Staten Island) are included within the Delaware Nation's Area of Interest for historic resources of religious and cultural significance. Given the nature of proposed construction activities on established residential properties, the characteristics of individual site locations, and the conditions of work, NYC is not anticipating significant effects to historical or archeological features protected by the NHPA and NAGPRA. However, should potential historic or cultural resources be discovered in the course of construction activities at a site, NHPA policies and procedures would be adhered to and the NY State Historic Preservation office would be notified for site-specific guidance. NYC invites the Delaware Tribal Nation's Historic Preservation Office to provide comments on the described CDBG-DR funded Program to assist our environmental evaluation of its proposed actions in storm-damaged neighborhoods. Should your office have comments on the Program's potential effects in the Delaware Nation's Area of Interest or recommendations for NYC to consider in its ER, we respectfully request comments be provided within 30 days of the above date to the Program's Point of Contact listed below, or we may assume that the Delaware Nation has no NEPA or otherwise related issues with this described program. Please do not hesitate to contact us if you have any questions.

Sincerely,



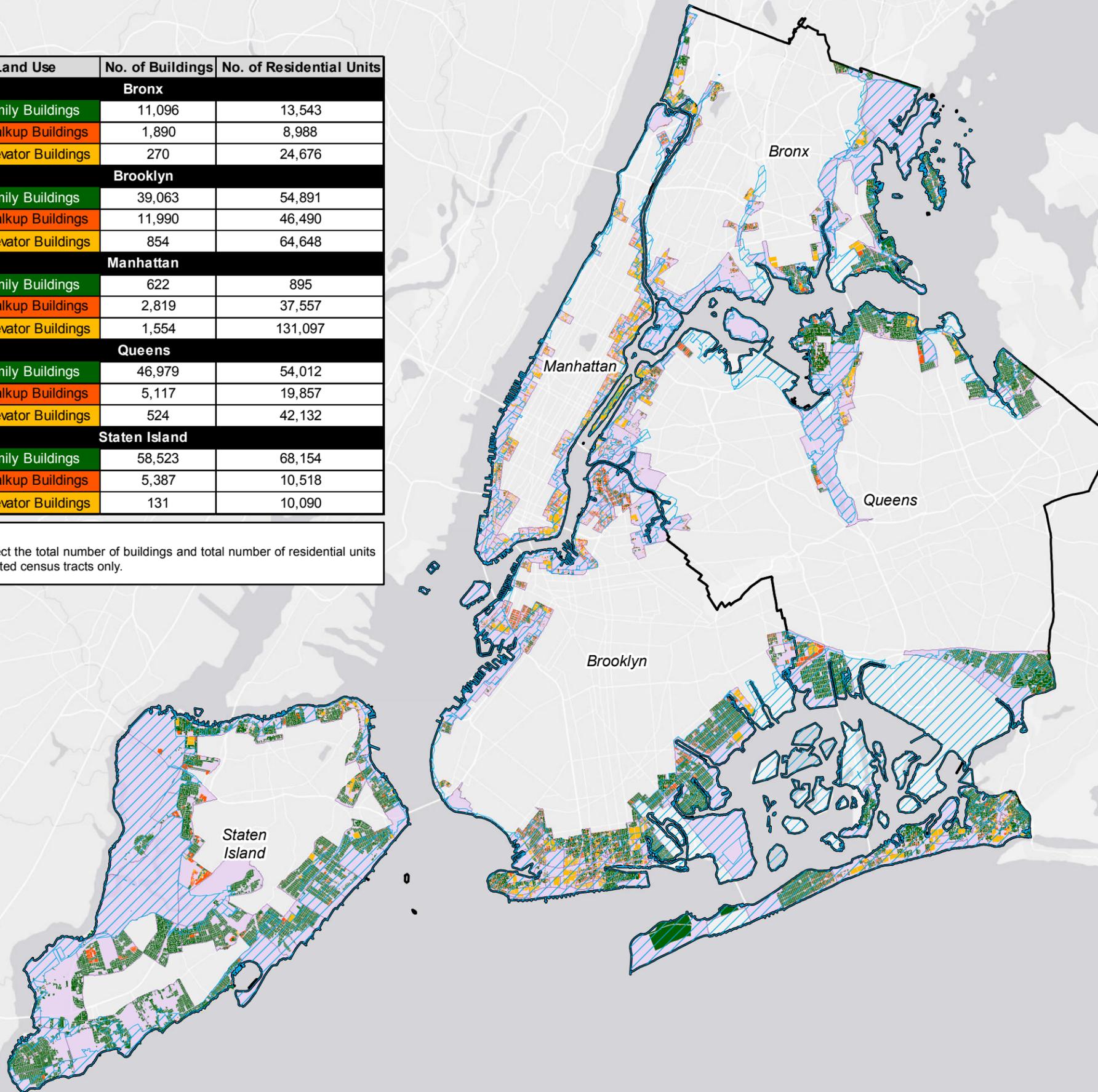
Kevin F. Donnelly, P.E.  
Program Manager  
Mayor's Office, Housing Recovery Operations  
250 Broadway  
New York, NY 10007  
[KDonnelly@recovery.nyc.gov](mailto:KDonnelly@recovery.nyc.gov)

Point of Contact: John Gearrity, Assistant Commissioner, Building and Land Development Services,  
NYC-Housing Preservation Development, 100 Gold Street, Rm 70-1, New York City,  
NY 10038; email: [gearritj@hpd.nyc.gov](mailto:gearritj@hpd.nyc.gov)

Attachment: Exhibit 1 – New York City Neighborhoods Damaged by Hurricane Sandy  
Figure 1-1: Historic and Cultural Sites in New York City

MapPLUTO - Land Use	No. of Buildings	No. of Residential Units
<b>Bronx</b>		
One & Two Family Buildings	11,096	13,543
MultiFamily Walkup Buildings	1,890	8,988
MultiFamily Elevator Buildings	270	24,676
<b>Brooklyn</b>		
One & Two Family Buildings	39,063	54,891
MultiFamily Walkup Buildings	11,990	46,490
MultiFamily Elevator Buildings	854	64,648
<b>Manhattan</b>		
One & Two Family Buildings	622	895
MultiFamily Walkup Buildings	2,819	37,557
MultiFamily Elevator Buildings	1,554	131,097
<b>Queens</b>		
One & Two Family Buildings	46,979	54,012
MultiFamily Walkup Buildings	5,117	19,857
MultiFamily Elevator Buildings	524	42,132
<b>Staten Island</b>		
One & Two Family Buildings	58,523	68,154
MultiFamily Walkup Buildings	5,387	10,518
MultiFamily Elevator Buildings	131	10,090

Note:  
These data reflect the total number of buildings and total number of residential units within the impacted census tracts only.

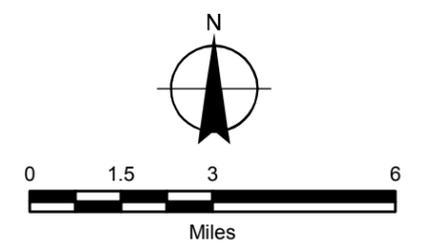


**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- Census Tracts  
NYC Dept. of City Planning (March 2013)
- Sandy Impact Zone (89.30 SqMi)  
NYC Office of Emergency Management

**MapPLUTO - Land Use**

- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings  
NYC Dept. of City Planning (November 2012)



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

EXHIBIT  
**1**

**NEW YORK CITY  
NEIGHBORHOODS DAMAGED  
BY HURRICANE SANDY**

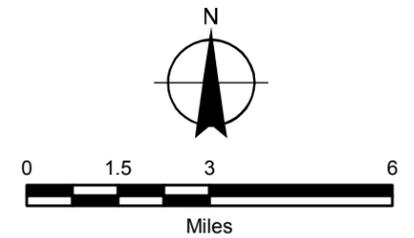


Historic/Cultural Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Cemeteries (Count)	2	3	0	9	1	15
Landmark Interiors (Count)	5	7	96	4	3	115
Individual Landmarks (Count)	79	154	793	53	102	1,181
Scenic Landmarks (SqMi)	0.00	1.00	2.08	0.00	0.00	3.09
Historic Districts (SqMi)	0.26	1.57	2.28	0.80	0.62	5.54

**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Cemeteries  
*NYC Dept. of Planning (Jan 2010)*
-  Landmark Interiors  
*NYC Landmarks Preservation Commission (2009)*
-  Individual Landmarks  
*NYC Landmarks Preservation Commission (2009)*
-  Scenic Landmarks  
*NYC Landmarks Preservation Commission (2009)*
-  Historic Districts  
*NYC Landmarks Preservation Commission (2009)*
- Indian Nation Areas of Interest**
-  Shinnecock and Delaware Nations  
*NYS Historic Preservation Office*

**Note:**  
The information depicted in this figure has been obtained from public sources and does not represent a complete accounting of historic and cultural resources, some of which may be undergoing evaluation and others are unknown.



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**1-1** HISTORIC AND CULTURAL SITES  
IN NEW YORK CITY





**SHINNECOCK INDIAN NATION**  
Shinnecock Indian Reservation  
P.O. Box 5006  
Southampton, New York 11969-5006  
Phone (631) 283-6143 Fax (631) 283-0751

*The oldest self-governing  
Tribe of Indians in the United States*

**Tribal Trustees**

*Daniel S. Collins, Chairman*

*D. Taobi Silva*

*Brad Smith*

June 21, 2013

The attached "Comments on the Tier I Environmental Review: NYCHA Public Housing Rehabilitation and Resilience Program" has been authorized to be submitted on behalf of the Shinnecock Indian Nation on this Friday June 21, 2013, by the following:

Rebecca Genia

CoChair of the Shinnecock Archeological Advisory Committee

Elizabeth Thunderbird Haile

Vice President of the Board of Directors of the Shinnecock Nation Cultural Center and Museum

**Comments on the Tier I Environmental Review: NYCHA Public Housing  
Rehabilitation and Resilience Program**

**Submitted by:**

**SHINNECOCK INDIAN NATION**

**Date: June 21, 2013**

**I. Introduction**

The Shinnecock Indian Nation is the one of the oldest self-governing Indian Nations in the State of New York and is a federally recognized Indian tribe (75 Fed. Reg. 60810, Oct. 1, 2010), and the recognized governing body of the Nation is known as the Shinnecock Indian Nation Board of Trustees.

Thank you for inviting the Shinnecock Indian Nation's Historic Preservation Office to provide comments on the Tier I Environmental Review (ER) process for the NYCHA Public Housing Rehabilitation and Resilience Program (NYCHA Public Housing). The Shinnecock Archeological Advisory Committee (the "Committee") is the division of the Shinnecock Indian Nation (the "Nation") responsible for protecting the cemeteries, burial grounds, human remains and objects of religious and cultural significance in the New York Metro area. The Nation does not yet have a Historic Preservation Office.

The Nation's area of interest, as recognized by the Mayor's Office, includes the New York City counties of Bronx, New York (Borough of Manhattan), Queens, and Richmond (Borough of Staten Island), and the Long Island counties of Suffolk and Nassau.

The Nation, through the Committee, intends to become a signatory to the Programmatic Agreement (PA) among the Federal Emergency Management Agency, the New York State Historic Preservation Officer, the New York State Office of Emergency Management, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Indian Nation, the Stockbridge-Munsee Community Band of Mohicans, the New York City Landmarks Preservation Commission, and the Advisory Council on Historic Preservation as invited.

The Nation exerts the authority and responsibility to protect the heritage and traditions of the Shinnecock People and acknowledges that the Shinnecock Archeological Advisory Committee is best qualified to perform the necessary duties and responsibilities under the PA. The Nation's comments and recommendations relevant to the Nation's Area of Interest and the NYCHA Public Housing ER process are provided below.

## II. Overview

The Shinnecock Indian Nation may potentially have ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony within both disturbed and undisturbed locations in the Area of Interest. The Nation appreciates the opportunity to participate in this process where the unearthing of Indian burial sites has occurred all over Long Island, many of which have gone unreported and/or desecrated.<sup>1</sup>

The most recent unearthing of the Nation's ancestral remains occurred in Water Mill in the South Fork in 2006 at the former St. James Hotel development site on Montauk Highway.<sup>2</sup> Although human remains were not expected to be disturbed during the development in Water Mill, Shinnecock oral history indicates a seasonal Indian village existed in the South Fork.<sup>3</sup> This property was later purchased by the Town of Southampton through its Community Preservation Fund, to be held in perpetuity.<sup>4</sup> Previously, in 2003, the Nation's ancestral remains were also uncovered on private property in Shelter Island.<sup>5</sup>

Furthermore, private landowners and archeological excavations have unearthed several ancestral remains and funerary objects at the Sugar Loaf Indian Burial Site throughout the early to mid twentieth century. The New York State Department of Environmental Conservation and the Town of Southampton has designated this site as a Critical Environmental Area (CEA) in 1990 after the Sugar Loaf Hill archaeological site was destroyed in the 1980s. The Sugar Loaf site in the Shinnecock Hills is a notable historic area that was once considered to be the most significant Indian burial site in the State of New York by the New York State Museum and Science Service. The Sugar Loaf site was radiocarbon dated to approximately 1043 B.C, +/- 300 years.<sup>6</sup> The area was known to have a large burial pit in the center of the hill, as well as smaller burial pits scattered around the area.<sup>7</sup> The burial pits were believed to "have approximated 30 feet in length, 18-23 feet in breadth, and 5-8 1/2 feet in maximum depth. The smaller, apparently individual burial pits, measured some 6 feet in diameter by 3-8 feet in depth."<sup>8</sup>

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<sup>1</sup> See e.g., GAYNELL STONE, *THE SHINNECOCK INDIANS: A CULTURE HISTORY*, 28-29 (Vol. VI. Lexington: Ginn Custom Publishing, 1983). The archeological site at Strong Neck holding skulls and long bones was raided by individuals seeking profit and was further desecrated through wanton destruction. Burials at Strong Neck were shallow, about six or seven inches below the surface and contained six skeletons – five adults and one small child.

<sup>2</sup> Nicole Controneo, *Calls to Preserve Indian Sites After a Skull Is Unearthed*, *THE NEW YORK TIMES*, (Dec. 31, 2006), <http://query.nytimes.com/gst/fullpage.html?res=9B02E1DF1F31F932A05751C1A9609C8B63>.

<sup>3</sup> *Id.*

<sup>4</sup> Stacey Altherr, *Town mulls laws to preserve burial sites*, *NEWSDAY* (Oct. 15, 2012), <http://www.newsday.com/long-island/towns/town-mulls-laws-to-preserve-burial-sites-1.4117748>.

<sup>5</sup> *Id.*

<sup>6</sup> William A. Ritchie, "The Stony Brook Site And Its Relation to Archaic and Transitional Cultures on Long Island," *The State Education Department, State Museum And Science Service, Bulletin 372*, 75 (1959).

<sup>7</sup> *Id.* at 50.

<sup>8</sup> *Id.*

In addition to human remains, excavations of the area also produced a large number of associated burial items such as pottery, fishing hoods, chipped stone, and other items. Because of these excavations, the digging of foundations for new buildings could easily disturb the final resting places of the Nation's ancestors for which many tribal members are currently protesting.<sup>9</sup>

Excavations have also occurred on the western end of Long Island within the Area of Interest. Specifically, excavations of a burial pit at Aqueduct in Queens County in 1982 revealed the remains of an adult female in a flexed position with an infant buried near her knees.<sup>10</sup> A shell layer was placed over the deceased to a depth of five inches and shards of pottery were also found in the pit.<sup>11</sup> The burial pit also indicated that a fire was built over the grave of shells as part of the burial ceremony.<sup>12</sup> Remains were also found in Port Washington in 1977 where sixteen pits had human burials, mostly children.<sup>13</sup> The remains were buried in depths ranging from eighteen to forty inches.<sup>14</sup>

### III. Comments on Preservation of Historical and Cultural Resources

Section 4.1 of the NYCHA Public Housing Tier I ER focuses on the preservation of historical and cultural resources. The section indicates that the NYCHA Public Housing Program “maintains public housing facilities eligible for listing under the National Historic Preservation Act. Desktop review, followed by site-specific assessment will aid determination.”<sup>15</sup>

The Nation requests further explanation of the term “desktop review” and the procedure for which a site will be assessed for protection under the National Historic Preservation by the NYCHA Public Housing Program. The Nation is concerned about this aspect given that the Nation's ancestral remains are deserving of such protection. In addition, per New York State Law, the Nation's burial grounds are eligible to be preserved by the Office of Parks, Recreation and Historic Preservation.<sup>16</sup> Indian cemeteries and burial grounds on New York State lands, in consultation with Native Americans, are eligible for preservation as a place of historic interest.<sup>17</sup> Any excavation or destruction of the area would have to be permitted by the Office of Parks, Recreation and Historic Preservation, and violators would be subject to a misdemeanor and a \$10,000.00 fine.<sup>18</sup>

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<sup>9</sup> Michael Wright, *Shinnecoaks Protest New Development at Sugar Loaf*, 27EAST (Apr. 10, 2013), <http://www.27east.com/news/article.cfm/General-Interest-Southampton/458740/Shinnecoaks-Protest-New-Development-At-Sugar-Loaf>.

<sup>10</sup> STONE, *supra* note 1, at 29-30.

<sup>11</sup> *Id.* at 30.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> NYCHA Public Housing Tier 1 ER Final Draft, 29 (05.24.2013) [hereinafter *NYCHA Final Draft*].

<sup>16</sup> N.Y. Indian Law § 12-a.

<sup>17</sup> *Id.*

<sup>18</sup> N.Y. Educ. Law § 233.

#### IV. Comments on Section 106 Consultation

The NYCHA Public Housing Program draft also refers to a Programmatic Agreement (PA) among the Federal Emergency Management Agency, the New York State Historic Preservation Office, the New York State Office of Emergency Management, the Shinnecock Nation (among other tribes), the New York City Landmarks Preservation Commission, and the Advisory Council on Historic Preservation, as a result of Hurricane Sandy has been executed and the City of New York has been added to the PA using the addition of an Appendix to the PA.<sup>19</sup> Specifically, the NYCHA Public Housing Program draft states that the PA establishes the following protocol for Section 106 consultation of proposed activities under the NYCHA Public Housing recovery efforts:

Under the PA, initial site-specific review will assess the historical and cultural value and the properties targeted for NYCHA Public Housing projects, and determine whether these meet one or more of the Allowances in Appendix B of the PA; if so, then the City will complete the Section 106 review process by documenting this determination in the project file, *without SHPO and Tribal review or notification*. If, prior to the site-specific inspections and environmental assessments, the project(s) is not composed entirely of an allowance in Appendix B, or does not meet the allowance criteria, the City will complete the Section 106 review process in accordance with the Standard Project Review as identified in Stipulation II.C in the PA.<sup>20</sup> (emphasis added)

The Nation requests further explanation and clarification of those circumstances when SHPO and Tribes will not be involved in review and notification and the process by which the City will complete the Section 106 review process by documenting this determination in the project file. The Nation is concerned whether this project file will be open for public review in the chance that the NYCHA Public Housing Program's assessments of historical and cultural values of properties are incorrect.

The Nation welcomes the NYCHA Public Housing Program's commitment to stopping construction and initiating consultation with SHPO, LPC, tribes and others as appropriate to resolve compliance where groundbreaking activities occur on previously undisturbed soil and there is the potential for discovery of human or archeological remains. The Nation appreciates that this potential for an adverse effect would be noted in association with the Section 106 compliance factor in the site-specific environmental assessment along with an indication that mitigation may be required if discovery is made during construction. If the potential for an Adverse Effect is determined, the Nation understands that the project can enter into the Abbreviated Consultation Process (the

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<sup>19</sup> In accordance with Stipulation I.E.2 of the Programmatic Agreement among FEMA, NY SHPO, NY OEM, the Delaware Nation, the Delaware Tribe of Indians, the Shinnecock Nation, the Stockbridge-Munsee Community Band of Mohicans, the NYC LPC, and the Advisory Council on Historic Preservation as a Result of Hurricane Sandy, signed by NY SHPO on May 3, 2013.

<sup>20</sup> *NYCHA Final Draft*, supra note 15, at 30 (emphasis added).

application of Treatment Measures outlined in Appendix C will suffice and a Memorandum of Agreement [MOA] is not necessary) or an MOA (if the Abbreviated Consultation Process is determined infeasible or is objected to by any of the consulting parties) will be developed in accordance with 36 CFR § 800.6(c) to stipulate treatment measures to avoid, minimize, and/or mitigate adverse effects on historic properties.

The Nation also suggests that the Unkechaug Indian Nation, the Brothertown Indians of Wisconsin, the Montauk Indian Nation, and other historically New York state and federally recognized tribes, not otherwise named as actual or potential signatories to the PA, be involved in the consultation process with the NYCHA Public Housing Program. These tribes have a historic connection with the Shinnecock Indian Nation and may also have ancestral remains within the area of interest.

## **V. Comments on Historic Preservation**

Section 6.1 of the NYCHA Public Housing Program draft provides a statutory checklist to evaluate the project at the Tier I level of environmental prior to release of funding by the GLO. The draft states that the approach is consistent with HUD's tiering regulations found at 24 CFR Sec. 58.15.<sup>21</sup>

Pursuant to 36 CFR 800, NYCHA Public Housing Program draft states that New York City has numerous registered historic sites and cultural resources of significance.<sup>22</sup> These include listed sites from the National Register of Historic Places, historic markers, historic districts, and cemeteries as displayed in Appendix A, Figure 1-1.<sup>23</sup> The historic value of structures will be evaluated during site specific environmental review.<sup>24</sup>

Again, the Nation requests an explanation of the process for which the historic value of the structures will be evaluated.

The Nation further requests that the NYCHA Public Housing Program specify instances where the property or structure may meet one or more of the programmatic allowances identified in Appendix B of the PA where beyond file documentation, no additional coordination is required.

Where the property or structure does involve a National Historic Landmark, the Nation appreciates that the NYCHA Public Housing Program will pursue the required Standard Project Review in accordance with the PA. The Nation understands that if a finding of No Historic Properties Affected is determined, Section 106 compliance has been met<sup>25</sup> However, if an Adverse Effect is determined, the project can enter into the Abbreviated Consultation Process (the application of Treatment Measures outlined in

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<sup>21</sup> *Id.* at 42.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

Appendix C will suffice and a Memorandum of Agreement [MOA] is not necessary) or an MOA (if the Abbreviated Consultation Process is determined infeasible or is objected to by any of the consulting parties) will be developed in accordance with 36 CFR § 800.6(c) to stipulate treatment measures to avoid, minimize, and/or mitigate adverse effects on historic properties.<sup>26</sup>

## **VI. Conclusion**

The Nation is grateful for the NYCHA Public Housing Program's invitation to participate in the analysis of the potential impacts of this program to the Nation's historical, cultural, and ancestral remains. The Nation recommends that the NYCHA Public Housing Program consider the overview as provided above that describes the conditions and circumstances under which ancestral remains as well as funerary objects have been uncovered previously while pursuing the much needed reconstruction efforts after Hurricane Sandy. Where not only ancestral remains but also funerary and sacred objects are potentially present in the NYCHA Public Housing Program's projects, the Nation wishes to be notified and consulted. From there, in accordance with the PA and Section 106 consultation, the Nation anticipates coordinated efforts to pursue archaeological investigations, make detailed documentation, preserve materials, and initiate a construction protection plan to avoid destruction and desecration of Indian burial sites.

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<sup>26</sup> *Id.*

**From:** [Castaneda, Catherine](#)  
**To:** [Rachel Valdez](#); [tellbeckyg@yahoo.com](mailto:tellbeckyg@yahoo.com)  
**Cc:** [Berger, Sharon \(Recovery\)](#); [Donnelly, Kevin \(Recovery\)](#)  
**Subject:** RE: Shinnecock Nation: Historic Preservation Officer  
**Date:** Thursday, May 16, 2013 9:47:43 AM  
**Attachments:** [Shinnecock consultation letter signed 04262013.pdf](#)  
**Importance:** High

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Good Morning Rachel and Rebecca,

We appreciate your response and wish to share the letter that was sent to Beverly Jensen in Southampton, NY on April 26<sup>th</sup> after determining she serves as the Communications Officer for the Shinnecock Nation. You may certainly forward this to Dave Martine as well.

A coordinated response to the NYC request for comments on the proposed NYC Houses activities would be most appreciated.

Regards,



**Catherine Castaneda, Ph.D.**  
Senior Environmental Scientist  
Environmental & Infrastructure, Inc.  
Office: 281.531.3178  
Cell: 713.306.7818  
email: [catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com)

CB&I  
1401 Enclave Parkway, Suite 250  
Houston, Texas 77077  
U.S.A.  
[www.cbi.com](http://www.cbi.com)

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**From:** Rachel Valdez [mailto:[r.valdez565@gmail.com](mailto:r.valdez565@gmail.com)]  
**Sent:** Monday, May 06, 2013 10:57 AM  
**To:** Castaneda, Catherine  
**Subject:** Shinnecock Nation: Historic Preservation Officer

Hello/Akwe Catherine,

I don't know if anyone has given you the information you requested a few weeks ago, but I would like to give you my moms name and email so that she may further assist you. She is the chair of our Graves Protection committee, I'm sure she can help you. Her name is Rebecca Genia, email is [tellbeckyg@yahoo.com](mailto:tellbeckyg@yahoo.com) .

Another possible source is David Martine, he is one the Directors at the Shinnecock Museum and Cultural Center. I will have to send you another email with his contact info, just give me a few hours and I will have that for you.

The reason I gave you these two names is because we do not have any one official person with the title you were seeking, but they are extremely knowledgable about our Nation, it's history and have much passion, I think that you will find what you need between them both.

Thank you/Tabutne,  
Rachel

--

*Rachel Valdez-Castillo*  
*Shinnecock Nation Housing Department*  
[R.Valdez565@gmail.com](mailto:R.Valdez565@gmail.com)  
*631.965.1521*  
*"Move Forward With Courage"*



April 26, 2013

Beverly Jensen  
Communications Officer  
Shinnecock Indian Nation  
P.O. Box 5006  
Southampton, New York 11969  
[sination@delawaretribe.org](mailto:sination@delawaretribe.org)

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

Dear Ms. Jensen:

The National Environmental Policy Act (NEPA) requires federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant (CDBG)-Disaster Recovery (DR) funded programs to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and EOs. NYC is conducting a two-tiered ER of several Programs. The purpose of the a Tier I ER is to facilitate review of environmental factors and regulations on a broad or programmatic-wide level. The following provides a brief description of the **NYC Houses Program** and, as part of its Tier I ER the City is requesting comments from the Shinnecock Tribal Nation. The Nation's comments or guidance will inform both tiers of the ER process.

New York City (NYC) was declared a disaster area prior to the October 29, 2012 landfall of Hurricane Sandy. On October 30th, President Obama issued a major disaster declaration for affected areas in the State of New York making disaster assistance available to those in the heaviest hit areas affected by the storm. Following damage assessments performed by the Federal Emergency Management Agency President Obama also signed into law the "Disaster Relief Appropriations Act, of January 29, 2013" (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Approximately 89 square miles of the City's land area (321 square miles) was inundated by Hurricane Sandy's floodwaters. Nearly 10% (846,056 persons) of the City's total population resided in these damaged neighborhoods situated throughout its five burroughs as shown in **Exhibit 1**. According to NYC

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<sup>1</sup> <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

analysis of damage to its housing stock in these neighborhoods, over 63,000 residential units were damaged or destroyed along with devastating impacts to other sectors.

To specifically assist disaster recovery for the NYC housing sector, CDBG-DR funds in the amount of \$648,000,000 have been allocated by HUD<sup>2</sup>. As indicated in the City's CDBG-DR-required Hurricane Sandy Disaster Action Plan published on April 23, 2013, the NYC OMB will administer the funds received from HUD for the recovery of Hurricane Sandy-damaged housing. Of these funds, a portion is being specifically set aside to provide assistance under the Program. Its projects are designed to address unmet housing recovery needs of people affected by Hurricane Sandy, specifically homeowners and certain tenants of rental properties, to achieve permanent, sustainable housing solutions that allow them to remain in NYC and, where possible, return to their neighborhoods. CDBG-DR funds, in the amount of \$306,000,000, are targeted for the Program to assist the needs of eligible applicants who occupied single-family homes (1 to 4 units) impacted by the hurricane. The Program will offer three core housing recovery paths to eligible project beneficiaries by providing different assistance types for owners of NYC houses that fall into one of the following three categories of damage to housing:

- Reconstruction: Residential property that has been destroyed or is more expensive to rehabilitate than to reconstruct;
- Major rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the Program; and
- Moderate Rehabilitation: Residential property that was damaged by Hurricane Sandy, but is not destroyed and does not have substantial damage as determined by the Program.

All demolition, rehabilitation, and reconstruction work will be completed to applicable building codes and standards, local ordinances, zoning, and permitting requirements. The assistance will be provided in the form of deferred forgivable loans. In accordance with the Federal Register<sup>3</sup> at least 50% of the CDBG-DR funds must be used for project activities that benefit eligible low to moderate income households. This Program is anticipated to provide permanent, sustainable housing solutions that allow these residents to remain in NYC, returning to their neighborhoods, where possible. All grants, loan amounts or other eligible programs will be based on damage to the original dwelling, plus the funds necessary to meet applicable housing quality standards, local, state and/or federal building codes, and funds necessary for mitigation efforts to reduce the risk of damage from future storm events. This housing assistance is specifically targeted to existing residential properties, construction activities will occur on original home sites, and not result in increased population density.

The area of potential effects for this Program includes residential properties in hurricane-damaged neighborhoods of NYC inadequately covered by homeowner insurance policies, where the owners lack sufficient funds to perform the repair themselves, and where the applicants satisfy eligibility requirements. The exact number and location of hurricane-damaged home sites to be addressed is not known at this time since homeowner eligibility for housing assistance funds must be determined on a case by case basis. The two-tiered ER consists of a Tier I Environmental Review (ER) and Tier II site-specific assessments. The purpose of the Tier I ER is to facilitate review of environmental factors and regulations on a broad or programmatic-wide level. Any environmental compliance factors and/or regulations determined through the Tier I ER to be affected by the Program or to have a potential affect on the Program will be addressed by the site-specific environmental reviews, once specific home sites are known. Site-specific environmental assessments will include desktop reviews of field inspections that document property conditions in order to determine environmental compliance requirements of the proposed construction activities.

NYC has reviewed information available from its Department of Housing Preservation & Development, its Landmarks Preservation Commission, the New York State Historic Preservation Office, and the US Department

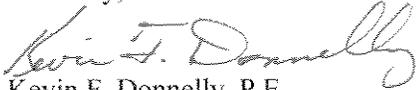
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<sup>2</sup> For additional information regarding Hurricane Sandy housing and other recovery efforts in New York City <http://www.nyc.gov/html/recovery/html/housing/housing.shtml>

<sup>3</sup> Federal Register 5696-N-01:Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy, March 5,2013.

of the Interior for guidance regarding compliance with Section 106 of the National Historic Preservation Act (NHPA) and the Native American Graves Protection and Repatriation Act (NAGPRA). It was noted during this review that the NYC Counties of Bronx, New York (Burrough of Manhattan), Queens, and Richmond (Burrough of Staten Island) are included within the Shinnecock Nation's Area of Interest for historic resources of religious and cultural significance. Given the nature of proposed construction activities on established residential properties, the characteristics of individual site locations, and the conditions of work, NYC is not anticipating significant effects to historical or archeological features protected by the NHPA and NAGPRA. However, should potential historic or cultural resources be discovered in the course of construction activities at a site, NHPA policies and procedures would be adhered to and the NY State Historic Preservation Office would be notified for site-specific guidance. NYC invites the Shinnecock Tribal Nation's Historic Preservation Office to provide comments on the described CDBG-DR funded Program to assist our environmental evaluation of its proposed actions in storm-damaged neighborhoods. Should your office have comments on the Program's potential effects in the Tribe's Area of Interest or recommendations for NYC to consider in its ER, we respectfully request comments be provided within 30 days of the above date to the Program's Point of Contact listed below, or we may assume that the Shinnecock Nation has no NEPA or otherwise related issues with this described program. Please do not hesitate to contact us if you have any questions.

Sincerely,



Kevin F. Donnelly, P.E.  
Program Manager  
Mayor's Office, Housing Recovery Operations  
250 Broadway  
New York, NY 10007  
[KDonnelly@recovery.nyc.gov](mailto:KDonnelly@recovery.nyc.gov)

Point of Contact: John Gearrity, Assistant Commissioner, Building and Land Development Services,  
NYC-Housing Preservation Development, 100 Gold Street, Rm 70-1, New York City,  
NY 10038; email: [gearritj@hpd.nyc.gov](mailto:gearritj@hpd.nyc.gov)

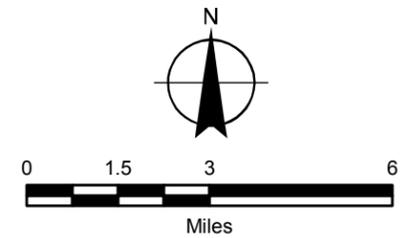
Attachment: Exhibit 1 – New York City Neighborhoods Damaged by Hurricane Sandy  
Figure 1-1: Historic and Cultural Sites in New York City

Historic/Cultural Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
Cemeteries (Count)	2	3	0	9	1	15
Landmark Interiors (Count)	5	7	96	4	3	115
Individual Landmarks (Count)	79	154	793	53	102	1,181
Scenic Landmarks (SqMi)	0.00	1.00	2.08	0.00	0.00	3.09
Historic Districts (SqMi)	0.26	1.57	2.28	0.80	0.62	5.54

**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Cemeteries  
*NYC Dept. of Planning (Jan 2010)*
-  Landmark Interiors  
*NYC Landmarks Preservation Commission (2009)*
-  Individual Landmarks  
*NYC Landmarks Preservation Commission (2009)*
-  Scenic Landmarks  
*NYC Landmarks Preservation Commission (2009)*
-  Historic Districts  
*NYC Landmarks Preservation Commission (2009)*
- Indian Nation Areas of Interest**
-  Shinnecock and Delaware Nations  
*NYS Historic Preservation Office*

**Note:**  
The information depicted in this figure has been obtained from public sources and does not represent a complete accounting of historic and cultural resources, some of which may be undergoing evaluation and others are unknown.



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**1-1** HISTORIC AND CULTURAL SITES  
IN NEW YORK CITY



**From:** Castaneda, Catherine  
**To:** ["sination@optonline.net"](mailto:sination@optonline.net)  
**Subject:** Shennecock Section 106 consultation  
**Date:** Tuesday, April 23, 2013 1:16:00 PM

---

Good Afternoon,

On behalf of New York City's Housing Recovery Operations at the Department of Environmental Protection, and the City's Office of Management and Budget, I am drafting letters to conduct National Environmental Policy Act/NHPA Section 106 and NAGPRA consultations with Native American Tribal Nations for a proposed Hurricane Sandy housing rehabilitation and reconstruction project funded by HUD.

Herein, I am requesting that the name, title and address of the Shinnecock Indian Nation's Historic Preservation Officer please be provided to me so we may direct the letter to the responsible party for review in an expeditious manner. Also, if considered appropriate, please provide an email address and phone number for follow-up.

Thank you very much!



**Catherine Castaneda, Ph.D.**  
Senior Environmental Scientist  
Environmental & Infrastructure, Inc.  
Office: 281.531.3178  
Cell: 713.306.7818  
email: [catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com)

CB&I  
1401 Enclave Parkway, Suite 250  
Houston, Texas 77077  
U.S.A.  
[www.cbi.com](http://www.cbi.com)

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**From:** JESSICA FAIN  
**To:** Berger, Sharon (Recovery)  
**Cc:** Blanchfield, Patrick (HPD); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB); james.scanlon@nycha.nyc.gov; raymond.ribeiro@nycha.nyc.gov; Vovaris, Jill; Castaneda, Catherine; Donnelly, Kevin (Recovery); MICHAEL MARRELLA  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR  
**Date:** Tuesday, May 28, 2013 4:59:36 PM  
**Attachments:** image001.png

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Ms. Berger,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

CDBG-DR Public Housing Rehabilitation and Resilience: Using funding through the Community Development Block Grant Disaster Recovery (CDBG-DR), through the Public Housing Rehabilitation and Resilience program the City will allocate \$108 Million to design and construct improvements to public housing directly impacted by Hurricane Sandy.

Based on the information submitted, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby recommends that this action is found consistent with the WRP policies.

This consistency determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP # 13-056. If there are any questions regarding this review, please contact me.

Sincerely,

JESSICA FAIN  
PLANNER, WATERFRONT AND OPEN SPACE DIVISION

NYC DEPT OF CITY PLANNING  
22 READE STREET, 6th FLOOR • NEW YORK, NY 10007  
t 212.720.3525 • f 212.720.3490  
[JFAIN@PLANNING.NYC.GOV](mailto:JFAIN@PLANNING.NYC.GOV)  
[www.nyc.gov/planning](http://www.nyc.gov/planning)

 Follow us on Twitter [@NYCPlanning](https://twitter.com/NYCPlanning)

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**From:** Berger, Sharon (Recovery) [mailto:sberger@recovery.nyc.gov]  
**Sent:** Thursday, May 23, 2013 4:14 PM  
**To:** MICHAEL MARRELLA; JESSICA FAIN  
**Cc:** Blanchfield, Patrick (HPD); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB);

james.scanlon@nycha.nyc.gov; raymond.ribeiro@nycha.nyc.gov; Vovaris, Jill;  
catherine.castaneda@cbi.com; Donnelly, Kevin (Recovery)  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,  
Attached please find the revised WRP for NYCHA. If you have any questions please let me know.

Best regards,

Sharon I. Berger Esq.  
Director of Technical Services  
Housing Recovery Office  
250 Broadway - 24<sup>th</sup> Floor, NY, NY  
Office 212-615-8031  
Cell 347-255-6290

---

**From:** Berger, Sharon (Recovery)  
**Sent:** Wednesday, May 22, 2013 7:11 PM  
**To:** 'MMARREL@PLANNING.NYC.GOV'; 'JFAIN@planning.nyc.gov'  
**Cc:** [blanchfp@hpd.nyc.gov](mailto:blanchfp@hpd.nyc.gov); 'Gearrity, John (HPD)'; Leonard, John (OMB); Johnson, Calvin (OMB); [james.scanlon@nycha.nyc.gov](mailto:james.scanlon@nycha.nyc.gov); [raymond.ribeiro@nycha.nyc.gov](mailto:raymond.ribeiro@nycha.nyc.gov); Vovaris, Jill; [catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com); Donnelly, Kevin (Recovery)  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,  
By way of this email, I am rescinding the notice sent this afternoon. I will resend the notice shortly.  
I apologize for the inconvenience.  
Regards,  
Sharon Berger

---

**From:** Berger, Sharon (Recovery)  
**Sent:** Wednesday, May 22, 2013 5:27 PM  
**To:** 'MMARREL@PLANNING.NYC.GOV'; 'JFAIN@planning.nyc.gov'  
**Cc:** [blanchfp@hpd.nyc.gov](mailto:blanchfp@hpd.nyc.gov); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB); [james.scanlon@nycha.nyc.gov](mailto:james.scanlon@nycha.nyc.gov); [raymond.ribeiro@nycha.nyc.gov](mailto:raymond.ribeiro@nycha.nyc.gov); Vovaris, Jill; [catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com); Donnelly, Kevin (Recovery)  
**Subject:** NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,

Please find the WRP consistency assessments for Public Housing Resiliency and Rehabilitation - NYCHA's properties. This is for a portion of the City's Community Development Block Grant-Disaster Recovery (CDBG-DR) funding for Sandy-impacted housing. In addition to CPC/DCP's concurrence with our consistency assessments, we also need approval by NYSDOS. Our

understanding is that they won't issue their determination until the City issues its own, so your prompt response would be greatly appreciated. Please let me know if you need anything or have questions.

Best regards,

Sharon I. Berger Esq.  
Director of Technical Services  
Housing Recovery Office  
250 Broadway - 24<sup>th</sup> Floor, NY, NY  
Office 212-615-8031  
Cell 347-255-6290

For Internal Use Only:

Date Received: \_\_\_\_\_

WRP no. \_\_\_\_\_

DOS no. \_\_\_\_\_

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: City of New York - Office of Management and Budget (OMB)
2. Address: 250 Broadway, New York, NY 10007 (c/o Raymond Ribeiro, VP Capital Projects, NYCHA)
3. Telephone: 212-306-8685 Fax: 212-306-4880 E-mail: Raymond.Ribeiro@nycha.nyc.gov
4. Project site owner: New York City Housing Authority (NYCHA) - various public housing developments in NYC

### B. PROPOSED ACTIVITY

1. Brief description of activity:

The New York City Housing Authority (NYCHA) intends to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program. The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The focus of this WRP Consistency Assessment is the Public Housing Rehabilitation and Resiliency Program. Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. SEE ATTACHED EXPANDED PROJECT DESCRIPTION.

2. Purpose of activity:

NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

3. Location of activity: (street address/borough or site description):

Projects funded with CDBG-DR would be located in areas of impact from Sandy throughout New York City. Although CDBG-DR funding would be provided to the Office of Management and Budget (OMB), which is the Responsible Entity (RE) under Part 58, the public housing component would be administered by NYCHA. NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

**Proposed Activity Cont'd**

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

Possible SPDES permits for any sites larger than 1 acre.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

Grant funding from HUD's Community Development Block Grant Disaster Recovery (CDBG-DR) program.

6. Will the proposed project require the preparation of an environmental impact statement?

Yes \_\_\_\_\_ No ✓ \_\_\_\_\_ If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

Construction funding.

**C. COASTAL ASSESSMENT**

**Location Questions:**

	Yes	No
1. Is the project site on the waterfront or at the water's edge?	<u>✓</u>	_____
2. Does the proposed project require a waterfront site?	<u>✓</u>	_____
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	<u>✓</u>	_____

**Policy Questions**

**Yes No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)	<u>✓</u>	_____
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<u>✓</u>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	<u>✓</u>

**Policy Questions cont'd**

	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____	_____✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	_____✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	_____✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____✓	_____
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	_____✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	_____✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	_____✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	_____✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	_____✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	_____✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	_____✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____✓	_____
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)	_____	_____✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____✓	_____
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____✓	_____
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____✓	_____
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	_____✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	_____✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	_____✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	_____✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	_____✓
28. Would the action cause violations of the National or State air quality standards? (5.2)	_____	_____✓

**Policy Questions cont'd**

	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	✓ _____
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	_____	✓ _____
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	✓ _____
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓ _____	_____
33. Would the action result in any construction activities that would lead to erosion? (6)	_____	✓ _____
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)	_____	✓ _____
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	✓ _____
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	✓ _____	_____
37. Would the proposed project affect a non-renewable source of sand ? (6.3)	_____	✓ _____
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)	✓ _____	_____
39. Would the action affect any sites that have been used as landfills? (7.1)	_____	✓ _____
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	✓ _____	_____
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	✓ _____	_____
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	✓ _____
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	✓ _____	_____
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)	_____	✓ _____
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)	_____	✓ _____
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	_____	✓ _____
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	✓ _____
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	_____	✓ _____
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	✓ _____
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	_____	✓ _____

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological or cultural resources? (10)

\_\_\_\_\_ ✓

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

✓ \_\_\_\_\_

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: City of New York - Office of Management and Budget

Address: 250 Broadway, (c/o Raymond Ribeiro, VP Capital Projects, NYCHA)

New York, NY 10007

Telephone 212-306-8685

Applicant/Agent Signature: 

Date: 5/21/13

Preparing Agency : Mayor's Office of Housing Recovery Operations

Address :

250 Broadway, 24<sup>th</sup> Fl NY, NY 10007

Preparing Agency Signature :

Kevin F. Donnelly, P.E.  
KEVIN F. DONNELLY  
PROGRAM MANAGER

**COASTAL ASSESSMENT EXPLANATION OF CONSISTENCY**  
**Community Development Block Grant Disaster Recovery (CDBG-DR)**  
**Housing Component – Public Housing Rehabilitation and Resiliency**

**Full Project Description:**

The New York City Housing Authority (NYCHA) intends to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. As described in more detail below, NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure. The objectives of the program include:

1. Help Sandy victims directly by replacing and rehabilitating housing units, including identifying opportunities for mitigation enhancement measures;
2. Help Sandy victims by improving the resilience of their housing units while restoring their buildings/residences;
3. Support resilience improvements to reduce risk and strengthen neighborhoods in flood zones;
4. Leverage philanthropic investments to address immediate gaps with flexible capital and maximize CDBG dollars at scale.

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 Sandy and other eligible events in calendar years 2011, 2012, and 2013". The U.S. Department of Housing and Urban Development (HUD), which administers CDBG-DR funds, was ordered to disburse the funds in at least two phases: 33% within the 60 days following the law's enactment and the remainder to be released at a later date. The Act also requires grantees to submit an Action Plan to the HUD Secretary "detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas."

NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The Housing Action Plan released by the City of New York details how the City's housing agencies intend to utilize the housing portion of this first allocation, including how it will leverage other funding sources to address areas of unmet need. The City will have a single program with several permanent housing recovery paths that maximize coordination across agencies. In this way, the City's program will leverage scale, where possible, while providing solutions tailored for the different needs of homeowners or landlords in need of assistance (e.g., by geography, building type and size). Specifically, the City will have the following core paths to provide assistance to those who suffered damage from Sandy:

- NYC Houses Rehabilitation – Grants for reconstruction or rehabilitation of homes that have been destroyed or damaged by Sandy. Assistance will incorporate resilience measures for homes that are destroyed or have substantial damage, as defined by the Department of Buildings.
- Multi-family Building Rehabilitation – Grants, low interest loans, and/or credit support for rebuilding or rehabilitation of multi-family rental buildings that have suffered damage.

Rebuilding or rehabilitation will incorporate resilience measures for those multi-family buildings that have been destroyed or have suffered major damage.

- Public Housing Rehabilitation and Resilience - Under this program, improvements will be made to the City's public housing infrastructure. These improvements are intended to make direct rehabilitation, replacement of critical systems and building infrastructure as well as installing new measures that will restore buildings systems and services to pre-storm conditions, strengthening the buildings by making the new systems more resilient, and further promoting the preservation of the public housing asset with the implementation of sustainable designs.

Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. These improvements are intended to perform direct rehabilitation, replace critical systems and building infrastructure, and install new measures that will restore buildings systems and services to pre-storm conditions, strengthening the buildings by making the new systems more resilient, and further promoting the preservation of the public housing asset with the implementation of sustainable designs.

In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure-based system, and rehabilitating a total of 90 Community Centers located in Zone A.
- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resiliency and mitigation measures (i.e. raised boilers and electrical switch gear) to all buildings in the new Zone A.

### **Policy Question Explanations**

The answer to the following Policy Questions was yes; therefore, more detailed explanations on relevant policies are provided below.

#### **Policy Questions:**

*4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (Policy 1 - Support and facilitate commercial and residential redevelopment in areas well-suited to such development)*

**Yes, the proposed project would result in the revitalization of severely damaged public housing developments in coastal areas. The CDBG-DR grant would have no substantial effect on this policy other than to support the implementation of resiliency and/or rehabilitation activities at NYCHA developments in coastal areas. No new construction on previously vacant sites within the coastal zone or in waterfront areas is proposed. The proposed activities would be served by existing infrastructure and would be carried out in accordance with the City's Zoning Resolution (including recently issued Executive Order 233) and the guidelines of FEMA's Advisory Base Flood Elevations (ABFE). Funding made available through the CDBG-DR grant would help victims of Sandy – including residents of public housing - achieve permanent, sustainable housing solutions that allow them to remain in New York City – returning to their neighborhoods, where possible. The available funding would help revitalize these neighborhoods in coastal areas, and reconnect displaced residents to the waterfront.**

*5. Is the project site appropriate for residential or commercial redevelopment? (Policy 1.1 – Encourage commercial and residential redevelopment in appropriate coastal zone areas)*

**Yes, the sites are appropriate since CDBG-DR funding would be used for the implementation of resiliency and/or rehabilitation activities at NYCHA developments damaged by Sandy. Funding would be applied to projects located on sites that have been improved with residential buildings.**

**Land uses would remain compatible and funding would not result in new construction on any vacant sites or sites containing unique or significant natural features. For any properties located near Special Natural Waterfront Areas (SNWAs), the proposed activities would allow for the continued functioning of these areas.**

**In response to the need to elevate buildings based on the ABFE maps released by FEMA in January 2013, Mayor Michael Bloomberg signed Executive Order 233 on February 5, 2013. The purpose of Executive Order 233, titled “Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards”, allows for the waiving of certain provisions of the Zoning Resolution that could have prevented, hindered or delayed disaster recovery.**

**Projects would be consistent with New York City’s Zoning Resolution and some may construct in accordance with provisions allowed through Executive Order 233. No significant effects related to zoning and adopted public policies are expected from the proposed activities, which would consist of the implementation of resiliency and/or rehabilitation measures at public housing developments damaged by Sandy.**

*10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (Policy 2.1 - Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas)*

**Yes, as part of the resiliency component of the CDBG grant funded activities, NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.**

**The installation of generators would not constitute a “facility” generating and transmitting large amounts of energy. The generators, when in use, would be self-contained systems utilizing diesel fuel. In accordance with the requirements of 1 RCNY §12-01 and §24-109 of the Administrative Code of the City of New York, all emergency power generation equipment would be registered with the NYC Department of Environmental Protection (DEP), Bureau of Air Resources. Emergency generators are requisite to maintaining and restoring public utilities during an emergency situation, and are usually limited in operational duration. Emissions from this equipment would be temporary in nature and regulated by DEP. These activities would have no effect on this policy.**

*18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (Policy 4 - Protect and restore the quality and function of ecological systems within the New York City coastal area; Policy 9.2 – Protect scenic values associated with natural resources)*

**Yes, existing public housing developments which are located near or within one of the designated SNWAs may be funded through the CDBG-DR grant; however, the CDBG-DR grant would have no substantial effect on either policy other than to implement resiliency and/or rehabilitation activities at these developments. Funding would be applied to projects located on sites that have been improved with residential buildings.**

**The proposed activities associated with the CDBG-DR grant would allow for the continued functioning of SNWAs and would have no effect on ecological systems, unique or significant natural features, and scenic resources. Fragmentation or loss of habitat areas within the SNWAs**

would not occur and no adverse changes to the ecological complexes and their natural processes would result. The rehabilitation of structures would not interrupt landscapes, nor would it include the introduction of discordant elements. The funded activities would not result in changes to the continuity and configuration of natural shorelines and associated vegetation.

Regarding federally designated tidal and freshwater wetlands, an evaluation as required by Executive Order 11990 would be conducted in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of any proposed activities near a wetland area. The use of CDBG-DR funding for the implementation of resiliency and/or rehabilitation activities at NYCHA properties would not involve any new construction on previously vacant sites, including designated wetlands or associated vegetation buffer areas. Furthermore, no filling or draining of such areas would occur as a result of these activities.

Regarding threatened or endangered species, according to the U.S. Fish and Wildlife Service (FWS) information available for Queens County (Borough of Queens), the piping plover (threatened bird species), the roseate tern (endangered bird species), and the seabeach amaranth (threatened plant species) are known/likely to occur. Therefore, CDBG-DR funded rehabilitation activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway have the potential to affect these species and for any CDBG-DR funded rehabilitation activities located on the Rockaway peninsula, HPD would consult with FWS to determine whether these species are likely to be affected. Potential impacts will be addressed in the event that FWS involvement is warranted. In addition, the species list by County for New York State on the FWS website will be checked routinely for updates.

NYCHA buildings, resiliency measures will be incorporated to the extent practicable. Such measures include floodproofing basements and elevating boilers and other critical infrastructure.

*36. Does the proposed project involve use of public funds for flood prevention or erosion control? (Policy 6.2 - Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit)*

Yes, CDBG-DR funding may be used to provide flood prevention and erosion control measures for storm damaged NYCHA public housing developments. The proposed activities associated with the CDBG-DR grant would have no substantial effect on this policy other than to rehabilitate and provide resiliency measures to buildings in areas prone to coastal flooding. The measures funded, which would include rehabilitation of these buildings in accordance with ABFEs and other forms of structural flood-proofing would provide a public health and safety benefit by preventing damage and residential displacement as a result of future coastal flooding. Standard erosion control measures would be in place at construction sites in accordance with all applicable state, federal, and local regulations.

*38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (Policy 7 - Minimize environmental degradation from solid waste and hazardous substances)*

Yes, the proposed activities may result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants. The CDBG-DR grant would support the implementation of resiliency and/or rehabilitation activities at NYCHA developments. These activities may result in the generation, handling, storage and shipment of construction and demolition debris, and in other regulated waste. The handling, storage, and transport of waste generated by CDBGDR-related activities, including excavated contaminated soil, would be handled in accordance with applicable regulations. No deleterious effects on humans or the environment are anticipated.

Work would be performed by United States Environmental Protection Agency-licensed (EPA) firms with licensed workers who hold an EPA certification. The proposed activities would have no substantial effect on this policy.

*40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form of petroleum product use or storage? (Policy 7.2 - Prevent and remediate discharge of petroleum products)*

**Yes, the proposed activities may occur on sites that contain contamination or have a history of underground storage tanks and open spills from previous uses. This includes cases of open petroleum spills called in to the New York State Department of Environmental Conservation (NYSDEC) as a result of Sandy related damage and flooding. CDBG-DR funding would be used exclusively for residential rehabilitation and resiliency purposes and all funded projects will be screened for potential hazardous materials contamination, including, but not limited to the review of historic Sanborn Maps, database searches and field inspections. If the potential for contamination cannot be ruled out, a Phase II Subsurface Investigation would be required. If contaminants are identified, remediation would be required and conducted in accordance with all applicable city, state and federal regulations. In addition, demolition debris including lead and asbestos will be handled in accordance with all applicable federal, state and local regulations.**

**In some cases, the installation of new above-ground storage tanks for residential fuel oil may be required. Also, as part of the resiliency component of the CDBG grant funded activities, NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency. Any new tanks or permanent generators would be registered and would be sited and installed in accordance with all applicable federal, state and local regulations to prevent the unregulated discharge of petroleum products into coastal waterways. The proposed activities would have no substantial effect on this policy.**

*41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (Policy 7.3 - Transport solid waste and hazardous substances and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources)*

**Yes, the funded activities may result in the storage and transportation of construction and demolition debris, and other regulated waste, including hazardous materials. However, the proposed activities would have no effect on this policy. The CDBG-DR grant would support the implementation of resiliency and/or rehabilitation activities at NYCHA developments. The proposed activities would be limited to residential properties and would not include the siting of solid or hazardous waste facilities or major petroleum-related facilities. If on site contaminants are identified prior to the rehabilitation activities, remediation would be required and conducted in accordance with all applicable city, state and federal regulations. Hazardous waste, including Contaminated soil, lead and asbestos would be transported by State licensed haulers that would comply with federal, state and local regulations regarding commercial trucking.**

**In some cases, the installation of new above-ground storage tanks for residential fuel oil may be required. Also, as part of the resiliency component of the CDBG grant funded activities, Any new tanks or permanent generators would be registered and would be sited and installed in accordance with all applicable federal, state and local regulations to prevent the unregulated discharge of petroleum products into coastal waterways.**

*43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (Policy 8 - Provide public access to and along New York City's coastal waters)*

**Yes, storm damaged NYCHA public housing developments awarded funding through the CDBGDR grant may be located adjacent to federal, state, or city parkland or other land in public ownership**

protected for open space preservation; however, grant activities would have no effect on this policy as funding would be provided to existing residential properties and activities are limited to resiliency and/or rehabilitation. New construction on designated open spaces would not occur and the proposed activities would not alter physical, visual, or recreational access to any public open space or coastal waters. Existing public waterfront access locations would be preserved.

*52. Will the proposed activity affect or be located in, on or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (Policy 10 - Protect, preserve and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area)*

**Yes, storm damaged NYCHA public housing developments awarded funding through the CDBGDR grant may be located in, on or adjacent to a historic resource listed on the State or National Register of Historic Places, or designated as a landmark by the City of New York. NYCHA's utilization of CDBG-DR is required to comply with Section 106 of the National Historic Preservation Act. The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), acting as the State Historic Preservation Office (SHPO), was consulted in accordance with Section 106. As part of the consultation, a list of all potentially funded public housing developments operated by NYCHA was provided. In a letter dated March 8, 2013 (attached), PRHP indicated that additional materials are required for selected developments within Manhattan, Brooklyn, and Queens. The remaining developments do not appear to meet National Register criteria.**

**Site specific reviews in accordance with Section 106 would be undertaken for those developments listed in OPRHP's March 8, 2013 letter. If a project has the potential to affect a historic resource, measures would be explored to minimize or eliminate adverse effects on historic resources. Ground disturbance is not anticipated with utilization of CDBG-DR. In the event that individual project scopes call for new or deeper disturbance that what existed pre-storm, projects would be reviewed for archaeological sensitivity. As necessary, a Memorandum of Agreement (MOA) would be executed between OPRHP and NYCHA to ensure there are no adverse effects expected from the use of CDBG-DR for NYCHA's resiliency and/or rehabilitation activities.**



## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation  
Peebles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643  
www.nysparks.com

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

March 08, 2013

John Leonard  
Office of Management and Budget  
255 Greenwich St, 8th Floor  
New York, New York 10007  
(via e-mail)

Re: CD, HUD  
CD/Disaster Recovery for NYCHA properties damaged  
by Hurricane Sandy  
Kings, Manhattan, Richmond, and Queens Counties,  
13PR00623

Dear Mr. Leonard:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic resources.

Please see findings list indicating properties that do not appear to meet the National Register criteria.

Our office notes that the following properties are Eligible or Listed on the National Register of Historic Places. With regards to archeology, our office has concerns for areas with new or deeper disturbance that what existed pre-storm. We request the following additional information to continue our review:

1. Specific building location where proposed repairs are to take place. Please provide a site plan and/or floor plans.
2. Plans/specifications and/or a scope of work fully describing all interior and exterior work proposed.
3. Clear color photographs illustrating all areas to be effected by interior and exterior work. Photos should be keyed to a site or building plan indicating the location and direction of each image. Digital images are acceptable provided they are printed in color at a high resolution and are at least 4" by 6" in size.

**Harlem River Houses** (1937) is listed on the State and National Registers of Historic Places.

Based on the limited information provided in the project submission and preliminary research by our Survey and Evaluation Unit, the properties listed below appear to meet the criteria for listing to the National Register of Historic Places as intact representative examples of public housing built by the New York City Housing Authority (NYCHA) in the late 1930s into the post World War II era. These housing complexes meet Criterion A in the following areas: (1) Social History, as a physical representation of the long-held concern that government was necessary to better the lives of the urban poor; (2) Politics/Government, for the Federal and local government's

acceptance of responsibility, through legislative and direct action, to assist in providing housing for low-income residents; and 3) Community Development, by serving to alleviate a housing shortage among low-income residents especially following World War II. The complexes also meet Criterion C under the themes of Architecture and Community Planning & Development. The design and construction of the buildings and their placement in a designed landscape is representative of modern urban planning design theory of the period. (n.b. The list below was based on very preliminary research only. In order to do a thorough evaluation of NYCHA's housing developments a context statement and intensive-level survey should be undertaken in the future.)

**MANHATTAN**

- Baruch Houses. 1959. Emery Roth & Sons.
- East River Houses. 1941. Voorhees, Walker, Foley & Smith in association with C.W. Schlusing and Alfred Easton Poor.
- Governor Alfred E. Smith Houses. 1952. Eggers & Higgins.

**BROOKLYN**

- Red Hook Houses East and West. 1937. Electus D. Litchfield

**QUEENS**

- Queensbridge Houses (North and South). 1939-40. William F.R. Ballard, chief architect. Henry Churchill, Frederick G. Frost, Burnett C. Turner, associate architects.

If you have any questions, I can be reached at (518) 237-8643, ext. 3260 or [eric.kuchar@parks.ny.gov](mailto:eric.kuchar@parks.ny.gov). Please refer to the SHPO Project Review (PR) number in any future correspondences regarding this project.

Sincerely,



Eric N. Kuchar  
Weatherization Specialist

CC: Gina Santucci, LPC

Enclosure: Findings List: NYCHA Properties Not National Register Eligible or Listed

**Findings List: NYCHA Properties Not National Register Eligible or Listed**

BOROUGH	DEVELOPMENT	BLDG#	ADDRESS
MANHATTAN	335 EAST 111TH STREET	1	335 EAST 111TH STREET
QUEENS	ASTORIA	1	4-21 ASTORIA BOULEVARD
QUEENS	ASTORIA	2	28-02 8TH STREET
QUEENS	ASTORIA	3	27-10 8TH STREET
QUEENS	ASTORIA	4	4-10 27TH AVENUE
QUEENS	ASTORIA	5	4-03 ASTORIA BOULEVARD
QUEENS	ASTORIA	6	3-20 27TH AVENUE
QUEENS	ASTORIA	7	3-04 27TH AVENUE
QUEENS	ASTORIA	8	2-10 27TH AVENUE
QUEENS	ASTORIA	9	1-25 ASTORIA BOULEVARD
QUEENS	ASTORIA	10	27-05 1ST STREET
QUEENS	ASTORIA	11	27-25 1ST STREET
QUEENS	ASTORIA	12	1-05 ASTORIA BOULEVARD
QUEENS	ASTORIA	13	4-24 ASTORIA BOULEVARD
QUEENS	ASTORIA	15	3-02 ASTORIA BOULEVARD
QUEENS	ASTORIA	16	3-06 ASTORIA BOULEVARD
QUEENS	ASTORIA	17	3-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	18	2-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	19	2-06 ASTORIA BOULEVARD
QUEENS	ASTORIA	20	2-04 ASTORIA BOULEVARD
QUEENS	ASTORIA	21	1-20 ASTORIA BOULEVARD
QUEENS	ASTORIA	22	1-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	23	1-04 ASTORIA BOULEVARD
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	1	40-20 BEACH CHANNEL DRIVE
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	2	453 BEACH 40TH STREET
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	3	438 BEACH 40TH STREET
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	4	456 BEACH 40TH STREET
MANHATTAN	CAMPOS PLAZA I	1	635 EAST 12TH STREET
MANHATTAN	CAMPOS PLAZA I	2	205 AVENUE C
MANHATTAN	CAMPOS PLAZA II	3	643 EAST 13TH STREET
MANHATTAN	CAMPOS PLAZA II	4	612 EAST 14TH STREET
BROOKLYN	CAREY GARDENS	1	2946 WEST 23RD STREET
BROOKLYN	CAREY GARDENS	2	2945 WEST 23RD STREET
BROOKLYN	CAREY GARDENS	3	2832 WEST 23RD STREET
QUEENS	CARLETON MANOR	1	71-15 BEACH CHANNEL DRIVE
MANHATTAN	CLINTON	1	1505 PARK AVENUE
MANHATTAN	CLINTON	2	1760 LEXINGTON AVENUE
MANHATTAN	CLINTON	3	1738 LEXINGTON AVENUE
MANHATTAN	CLINTON	4	1485 PARK AVENUE
MANHATTAN	CLINTON	5	1405 PARK AVENUE
MANHATTAN	CLINTON	6	107 EAST 105TH STREET
BROOKLYN	CONEY ISLAND	1	3025 WEST 32ND STREET
BROOKLYN	CONEY ISLAND	2	3030 SURF AVENUE
BROOKLYN	CONEY ISLAND	3	3020 SURF AVENUE

BROOKLYN	CONEY ISLAND	4	3002 SURF AVENUE
BROOKLYN	CONEY ISLAND	5	3028 WEST 29TH STREET
BROOKLYN	CONEY ISLAND 1 (SITE 1B)	1	2007 SURF AVENUE
BROOKLYN	CONEY ISLAND 1 (SITE 8)	1	2950 WEST 35TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2925 WEST 27TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2926 WEST 25TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2949 WEST 28TH STREET
MANHATTAN	DYCKMAN	1	177 NAGLE AVENUE
MANHATTAN	DYCKMAN	2	3716 10TH AVENUE
MANHATTAN	DYCKMAN	3	195 NAGLE AVENUE
MANHATTAN	DYCKMAN	4	3736 10TH AVENUE
MANHATTAN	DYCKMAN	5	213 NAGLE AVENUE
MANHATTAN	DYCKMAN	6	3758 10TH AVENUE
MANHATTAN	DYCKMAN	7	3784 10TH AVENUE
MANHATTAN	EAST 120TH STREET REHAB	1	438 EAST 120TH STREET
MANHATTAN	ELLIOTT	1	288 10TH AVENUE
MANHATTAN	ELLIOTT	2	466 WEST 26TH STREET
MANHATTAN	ELLIOTT	3	446 WEST 26TH STREET
MANHATTAN	ELLIOTT	4	427 WEST 26TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	143-03 105TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	109-40 176TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	104-06 FARMERS BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	187-24 KEESEVILLE AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	202-06 116TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	213-24 NASHVILLE BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	150-36 116TH ROAD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	118-03 204TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	137-22 WESTGATE STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	100-40 202ND STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	104-33 203RD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	110-26 216TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-69 145TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	148-13 SUTTER AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	133-17 149TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	132-33 218TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	132-19 BENNETT COURT
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	194-17 114TH DRIVE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	115-21 200TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-11 130TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	138-11 LINDEN BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-18 INWOOD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	130-34 147TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-22 166TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	117-22 133RD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	218-34 119TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	3	178-14 BAISLEY BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	5	1502 BEACH 12TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	6	1504 BEACH 12TH STREET

BRONX	FHA REPOSSESSED HOUSES (GROUP II)	1	444 TORRY AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	126-01 116TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	110-16 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	133-11 148TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	105-11 171ST PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	111-33 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	113-14 196TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	215-32 112TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	171-28 111TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	114-42 139TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	223-20 FRANCIS LEWIS BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	2	129-04 142ND STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	174-16 111TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	217-09 110TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-37 144TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	119-55 177TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	188-56 120TH ROAD
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	121-28 BENTON STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	191-18 120TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	104-10 212TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	112-22 198TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	214-15 HOLLIS AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	131-27 135TH PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	114-54 INWOOD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	114-34 146TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-46 156TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	117-17 204TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	136-15 221ST STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	145-12 229TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	231 FERNSIDE PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	142-21 129TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	94-29 211TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	193-10 WOODHULL AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	109-16 210TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	110-05 225TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	239 FERNSIDE PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	138-20 102ND AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-27 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	16	153 BEACH 59TH STREET
BROOKLYN	GOWANUS	1	175 HOYT STREET
BROOKLYN	GOWANUS	2	178 BOND STREET
BROOKLYN	GOWANUS	3	181 HOYT STREET
BROOKLYN	GOWANUS	4	417 BALTIC STREET
BROOKLYN	GOWANUS	4	423 BALTIC STREET
BROOKLYN	GOWANUS	5	186 BOND STREET
BROOKLYN	GOWANUS	6	195 HOYT STREET
BROOKLYN	GOWANUS	7	198 BOND STREET
BROOKLYN	GOWANUS	8	414 BALTIC STREET

BROOKLYN	GOWANUS	9	426 BALTIC STREET
BROOKLYN	GOWANUS	10	231 HOYT STREET
BROOKLYN	GOWANUS	11	235 HOYT STREET
BROOKLYN	GOWANUS	12	234 BOND STREET
BROOKLYN	GOWANUS	13	241 HOYT STREET
BROOKLYN	GOWANUS	14	244 BOND STREET
BROOKLYN	GRAVESEND	1	3225 NEPTUNE AVENUE
BROOKLYN	GRAVESEND	2	2749 WEST 33RD STREET
BROOKLYN	GRAVESEND	3	2703 WEST 33RD STREET
BROOKLYN	GRAVESEND	4	2673 WEST 33RD STREET
BROOKLYN	GRAVESEND	5	3246 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	6	3222 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	7	3194 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	8	3162 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	9	3112 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	10	2729 WEST 33RD STREET
BROOKLYN	GRAVESEND	11	3201 NEPTUNE AVENUE
BROOKLYN	GRAVESEND	12	3144 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	13	2719 WEST 33RD STREET
BROOKLYN	GRAVESEND	14	2737 WEST 33RD STREET
BROOKLYN	GRAVESEND	15	3178 BAYVIEW AVENUE
BROOKLYN	HABER	1	3058 WEST 24TH STREET
BROOKLYN	HABER	2	3018 WEST 24TH STREET
BROOKLYN	HABER	3	3031 WEST 25TH STREET
QUEENS	HAMMEL	1	85-02 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	2	84-10 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	3	84-12 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	4	84-14 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	5	84-16 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	6	84-18 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	7	82-02 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	8	81-10 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	9	81-04 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	10	81-03 HAMMELS BOULEVARD
QUEENS	HAMMEL	11	81-01 HAMMELS BOULEVARD
QUEENS	HAMMEL	12	81-05 HAMMELS BOULEVARD
QUEENS	HAMMEL	13	82-01 HAMMELS BOULEVARD
QUEENS	HAMMEL	14	82-03 HAMMELS BOULEVARD
MANHATTAN	HARLEM RIVER II	8	2850 F DOUGLASS BOULEVARD
MANHATTAN	HOLMES TOWERS	1	1780 1ST AVENUE
MANHATTAN	HOLMES TOWERS	2	405 EAST 92ND STREET
BROOKLYN	INGERSOLL	16	102 MONUMENT WALK
BROOKLYN	INGERSOLL	17	82 SAINT EDWARDS STREET
BROOKLYN	INGERSOLL	18	80 MONUMENT WALK
BROOKLYN	INGERSOLL	19	55 MONUMENT WALK

BROOKLYN	INGERSOLL	20	50 MONUMENT WALK
BROOKLYN	INGERSOLL	21	36 SAINT EDWARDS STREET
BROOKLYN	INGERSOLL	22	9 MONUMENT WALK
BROOKLYN	INGERSOLL	23	8 MONUMENT WALK
BROOKLYN	INGERSOLL	24	143 NAVY WALK
BROOKLYN	INGERSOLL	25	160 NAVY WALK
BROOKLYN	INGERSOLL	26	340 HUDSON WALK
BROOKLYN	INGERSOLL	27	58 FLEET WALK
BROOKLYN	INGERSOLL	28	125 NAVY WALK
BROOKLYN	INGERSOLL	29	45 FLEET WALK
BROOKLYN	INGERSOLL	30	38 FLEET WALK
BROOKLYN	INGERSOLL	31	29 FLEET WALK
BROOKLYN	INGERSOLL	32	28 FLEET WALK
BROOKLYN	INGERSOLL	33	95 NAVY WALK
BROOKLYN	INGERSOLL	34	8 FLEET WALK
BROOKLYN	INGERSOLL	35	5 FLEET WALK
MANHATTAN	ISAACS	1	419 EAST 93RD STREET
MANHATTAN	ISAACS	2	1830 1ST AVENUE
MANHATTAN	ISAACS	3	1806 1ST AVENUE
MANHATTAN	JEFFERSON	1	310 EAST 115TH STREET
MANHATTAN	JEFFERSON	2	320 EAST 115TH STREET
MANHATTAN	JEFFERSON	3	332 EAST 115TH STREET
MANHATTAN	JEFFERSON	4	2235 1ST AVENUE
MANHATTAN	JEFFERSON	5	2215 1ST AVENUE
MANHATTAN	JEFFERSON	6	2201 1ST AVENUE
MANHATTAN	JEFFERSON	7	2185 1ST AVENUE
MANHATTAN	JEFFERSON	8	335 EAST 112TH STREET
MANHATTAN	JEFFERSON	9	327 EAST 112TH STREET
MANHATTAN	JEFFERSON	10	310 EAST 113TH STREET
MANHATTAN	JEFFERSON	11	2185 2ND AVENUE
MANHATTAN	JEFFERSON	12	2055 3RD AVENUE
MANHATTAN	JEFFERSON	13	2065 3RD AVENUE
MANHATTAN	JEFFERSON	14	2095 3RD AVENUE
MANHATTAN	JEFFERSON	15	220 EAST 115TH STREET
MANHATTAN	JEFFERSON	16	230 EAST 115TH STREET
MANHATTAN	JEFFERSON	17	2237 2ND AVENUE
MANHATTAN	JEFFERSON	18	2215 2ND AVENUE
MANHATTAN	LA GUARDIA	1	45 RUTGERS STREET
MANHATTAN	LA GUARDIA	2	55 RUTGERS STREET
MANHATTAN	LA GUARDIA	3	65 JEFFERSON STREET
MANHATTAN	LA GUARDIA	4	300 CHERRY STREET
MANHATTAN	LA GUARDIA	5	240 MADISON STREET
MANHATTAN	LA GUARDIA	6	250 CLINTON STREET
MANHATTAN	LA GUARDIA	7	230 CLINTON STREET
MANHATTAN	LA GUARDIA	8	340 CHERRY STREET
MANHATTAN	LA GUARDIA	9	280 MADISON STREET
MANHATTAN	LA GUARDIA ADDITION	10	282 CHERRY STREET
MANHATTAN	LAVANBURG HOMES	1	126 BARUCH PLACE

MANHATTAN	LINCOLN	1	60 EAST 135TH STREET
MANHATTAN	LINCOLN	2	1980 PARK AVENUE
MANHATTAN	LINCOLN	3	1960 PARK AVENUE
MANHATTAN	LINCOLN	4	2101 MADISON AVENUE
MANHATTAN	LINCOLN	5	2121 MADISON AVENUE
MANHATTAN	LINCOLN	6	2133 MADISON AVENUE
MANHATTAN	LINCOLN	7	2155 MADISON AVENUE
MANHATTAN	LINCOLN	8	2150 MADISON AVENUE
MANHATTAN	LINCOLN	9	2130 MADISON AVENUE
MANHATTAN	LINCOLN	10	2110 MADISON AVENUE
MANHATTAN	LINCOLN	11	2120 MADISON AVENUE
MANHATTAN	LINCOLN	12	2175 5TH AVENUE
MANHATTAN	LINCOLN	13	2199 5TH AVENUE
MANHATTAN	LINCOLN	14	2140 MADISON AVENUE
MANHATTAN	LOWER EAST SIDE I INFILL	1	175 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	2	45 STANTON STREET
MANHATTAN	LOWER EAST SIDE I INFILL	3	201 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	4	200 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	5	71 STANTON STREET
MANHATTAN	LOWER EAST SIDE II	2	637 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	3	644 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	3	620 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	4	713 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	4	704 EAST 6TH STREET
MANHATTAN	LOWER EAST SIDE II	5	721 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE III	1	722 EAST 9TH STREET
MANHATTAN	LOWER EAST SIDE III	2	373 EAST 8TH STREET
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	1	89 AVENUE C
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	2	99 AVENUE C
BROOKLYN	MARLBORO	1	29 AVENUE W
BROOKLYN	MARLBORO	2	30 AVENUE V
BROOKLYN	MARLBORO	3	2250 WEST 11TH STREET
BROOKLYN	MARLBORO	4	18 AVENUE V
BROOKLYN	MARLBORO	5	2227 STILLWELL AVENUE
BROOKLYN	MARLBORO	6	2249 STILLWELL AVENUE
BROOKLYN	MARLBORO	7	2271 STILLWELL AVENUE
BROOKLYN	MARLBORO	8	17 AVENUE W
BROOKLYN	MARLBORO	9	61 AVENUE W
BROOKLYN	MARLBORO	10	63 AVENUE W
BROOKLYN	MARLBORO	11	2220 WEST 11TH STREET
BROOKLYN	MARLBORO	12	2770 86TH STREET
BROOKLYN	MARLBORO	13	2257 WEST 11TH STREET
BROOKLYN	MARLBORO	14	2790 86TH STREET
BROOKLYN	MARLBORO	15	2800 86TH STREET
BROOKLYN	MARLBORO	16	2780 86TH STREET
BROOKLYN	MARLBORO	17	2295 WEST 11TH STREET
BROOKLYN	MARLBORO	18	2292 WEST 8TH STREET
BROOKLYN	MARLBORO	19	2294 WEST 8TH STREET

BROOKLYN	MARLBORO	20	2304 WEST 8TH STREET
BROOKLYN	MARLBORO	21	2331 WEST 11TH STREET
BROOKLYN	MARLBORO	22	2328 WEST 8TH STREET
BROOKLYN	MARLBORO	23	2326 WEST 8TH STREET
BROOKLYN	MARLBORO	24	2336 WEST 8TH STREET
BROOKLYN	MARLBORO	25	2352 WEST 8TH STREET
BROOKLYN	MARLBORO	26	127 AVENUE X
BROOKLYN	MARLBORO	27	105 AVENUE X
BROOKLYN	MARLBORO	28	2369 WEST 11TH STREET
MANHATTAN	METRO NORTH PLAZA	1	307 EAST 101ST STREET
MANHATTAN	METRO NORTH PLAZA	2	310 EAST 102ND STREET
MANHATTAN	METRO NORTH PLAZA	3	345 EAST 101ST STREET
STATEN ISLAND	NEW LANE AREA	1	70 NEW LANE
BROOKLYN	NOSTRAND	1	2241 BATCHELDER STREET
BROOKLYN	NOSTRAND	2	2231 BATCHELDER STREET
BROOKLYN	NOSTRAND	3	3022 AVENUE V
BROOKLYN	NOSTRAND	4	3042 AVENUE V
BROOKLYN	NOSTRAND	5	3062 AVENUE V
BROOKLYN	NOSTRAND	6	2242 BRAGG STREET
BROOKLYN	NOSTRAND	7	3041 AVENUE W
BROOKLYN	NOSTRAND	8	3019 AVENUE W
BROOKLYN	NOSTRAND	9	3012 AVENUE W
BROOKLYN	NOSTRAND	10	3040 AVENUE W
BROOKLYN	NOSTRAND	11	2324 BRAGG STREET
BROOKLYN	NOSTRAND	12	2356 BRAGG STREET
BROOKLYN	NOSTRAND	13	3043 AVENUE X
BROOKLYN	NOSTRAND	14	3021 AVENUE X
BROOKLYN	NOSTRAND	15	3003 AVENUE X
BROOKLYN	NOSTRAND	16	2323 BATCHELDER STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	1	54-81 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	2	54-75 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	3	54-49 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	4	54-41 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	5	54-15 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	6	54-09 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	7	51-49 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	8	51-45 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	9	51-15 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	10	51-11 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	11	409 BEACH 51ST STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	12	51-24 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	13	51-32 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	14	410 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	15	411 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	16	54-22 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	17	54-30 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	18	56-10 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	19	56-16 BEACH CHANNEL DRIVE

QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	20	414 BEACH 58TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	21	441 BEACH 51ST STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	22	440 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	23	439 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	24	434 BEACH 58TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	1	306 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	2	342 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	3	354 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	4	54-15 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	5	353 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	6	335 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	7	309 BEACH 54TH STREET
BROOKLYN	O'DWYER GARDENS	1	2975 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	2	3309 SURF AVENUE
BROOKLYN	O'DWYER GARDENS	3	2950 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	4	2940 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	5	2935 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	6	2951 WEST 33RD STREET
MANHATTAN	POLO GROUNDS TOWERS	1	2931 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	2	2971 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	3	2949 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	4	2991 F DOUGLASS BOULEVARD
MANHATTAN	RANGEL	1	159-14 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	2	159-20 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	3	159-26 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	4	159-38 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	5	159-48 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	6	159-64 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	7	159-70 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	8	159-30 HARLEM RIVER DRIVE
QUEENS	REDFERN	1	14-60 BEACH CHANNEL DRIVE
QUEENS	REDFERN	2	14-68 BEACH CHANNEL DRIVE
QUEENS	REDFERN	3	14-74 BEACH CHANNEL DRIVE
QUEENS	REDFERN	4	14-78 BEACH CHANNEL DRIVE
QUEENS	REDFERN	5	15-30 HASSOCK STREET
QUEENS	REDFERN	6	12-70 REDFERN AVENUE
QUEENS	REDFERN	7	12-50 REDFERN AVENUE
QUEENS	REDFERN	8	13-02 REDFERN AVENUE
QUEENS	REDFERN	9	14-20 REDFERN AVENUE
MANHATTAN	RIIS	1	152 AVENUE D
MANHATTAN	RIIS	2	170 AVENUE D
MANHATTAN	RIIS	3	178 AVENUE D
MANHATTAN	RIIS	4	1223 FDR DRIVE
MANHATTAN	RIIS	5	1141 FDR DRIVE
MANHATTAN	RIIS	6	1115 FDR DRIVE
MANHATTAN	RIIS	7	1023 FDR DRIVE
MANHATTAN	RIIS	8	465 EAST 10TH STREET
MANHATTAN	RIIS	9	134 AVENUE D

MANHATTAN	RIIS	10	118 AVENUE D
MANHATTAN	RIIS	11	466 EAST 10TH STREET
MANHATTAN	RIIS	12	919 FDR DRIVE
MANHATTAN	RIIS	13	819 FDR DRIVE
MANHATTAN	RIIS II	14	765 FDR DRIVE
MANHATTAN	RIIS II	15	749 FDR DRIVE
MANHATTAN	RIIS II	16	903 EAST 6TH STREET
MANHATTAN	RIIS II	17	807 EAST 6TH STREET
MANHATTAN	RIIS II	18	90 AVENUE D
MANHATTAN	RIIS II	19	108 AVENUE D
BROOKLYN	SURFSIDE GARDENS	1	2960 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	2	2950 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	3	2940 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	4	2839 WEST 33RD STREET
BROOKLYN	SURFSIDE GARDENS	5	2820 WEST 32ND STREET
MANHATTAN	TWO BRIDGES URA (SITE 7)	1	286 SOUTH STREET
MANHATTAN	WAGNER	1	90 PALADINO AVENUE
MANHATTAN	WAGNER	2	80 PALADINO AVENUE
MANHATTAN	WAGNER	3	505 EAST 120TH STREET
MANHATTAN	WAGNER	4	445 EAST 120TH STREET
MANHATTAN	WAGNER	5	70 PALADINO AVENUE
MANHATTAN	WAGNER	6	60 PALADINO AVENUE
MANHATTAN	WAGNER	7	50 PALADINO AVENUE
MANHATTAN	WAGNER	8	2370 1ST AVENUE
MANHATTAN	WAGNER	9	2360 1ST AVENUE
MANHATTAN	WAGNER	10	40 PALADINO AVENUE
MANHATTAN	WAGNER	11	30 PALADINO AVENUE
MANHATTAN	WAGNER	12	20 PALADINO AVENUE
MANHATTAN	WAGNER	13	10 PALADINO AVENUE
MANHATTAN	WAGNER	14	2369 1ST AVENUE
MANHATTAN	WAGNER	15	2375 1ST AVENUE
MANHATTAN	WAGNER	16	2370 2ND AVENUE
MANHATTAN	WAGNER	17	2385 1ST AVENUE
MANHATTAN	WAGNER	18	2395 1ST AVENUE
MANHATTAN	WAGNER	19	2390 2ND AVENUE
MANHATTAN	WAGNER	20	2405 1ST AVENUE
MANHATTAN	WAGNER	21	350 EAST 124TH STREET
MANHATTAN	WAGNER	22	2400 2ND AVENUE
MANHATTAN	WALD	1	10 AVENUE D
MANHATTAN	WALD	2	20 AVENUE D
MANHATTAN	WALD	3	30 AVENUE D
MANHATTAN	WALD	4	50 AVENUE D
MANHATTAN	WALD	5	60 AVENUE D
MANHATTAN	WALD	6	40 AVENUE D
MANHATTAN	WALD	7	890 EAST 6TH STREET
MANHATTAN	WALD	8	930 EAST 4TH WALK
MANHATTAN	WALD	9	711 FDR DRIVE
MANHATTAN	WALD	10	920 EAST 6TH STREET

MANHATTAN	WALD	11	484 EAST HOUSTON STREET
MANHATTAN	WALD	12	950 EAST 4TH WALK
MANHATTAN	WALD	13	500 EAST HOUSTON STREET
MANHATTAN	WALD	14	691 FDR DRIVE
MANHATTAN	WALD	15	709 FDR DRIVE
MANHATTAN	WALD	16	725 FDR DRIVE
MANHATTAN	WASHINGTON	1	1761 3RD AVENUE
MANHATTAN	WASHINGTON	2	219 EAST 97TH STREET
MANHATTAN	WASHINGTON	3	1895 2ND AVENUE
MANHATTAN	WASHINGTON	4	1905 2ND AVENUE
MANHATTAN	WASHINGTON	5	225 EAST 99TH STREET
MANHATTAN	WASHINGTON	6	1955 2ND AVENUE
MANHATTAN	WASHINGTON	7	1809 3RD AVENUE
MANHATTAN	WASHINGTON	8	210 EAST 102ND STREET
MANHATTAN	WASHINGTON	9	220 EAST 102ND STREET
MANHATTAN	WASHINGTON	10	230 EAST 102ND STREET
MANHATTAN	WASHINGTON	11	215 EAST 102ND STREET
MANHATTAN	WASHINGTON	12	1851 3RD AVENUE
MANHATTAN	WASHINGTON	13	1875 3RD AVENUE
MANHATTAN	WASHINGTON	14	218 EAST 104TH STREET
MANHATTAN	WHITE	1	2029 2ND AVENUE
MANHATTAN	WILSON	1	405 EAST 105TH STREET
MANHATTAN	WILSON	2	425 EAST 105TH STREET
MANHATTAN	WILSON	3	435 EAST 105TH STREET





**Jill Vovaris**  
Project Manager/Senior Biologist  
Commercial, State, and Local  
Environmental & Infrastructure, Inc.  
Office: 412.858.3829  
Cell: 412.592.5790  
email: [jill.vovaris@cbi.com](mailto:jill.vovaris@cbi.com)

CB&I  
2790 Mosside Boulevard  
Monroeville, PA 15146  
U.S.A.  
[www.cbi.com](http://www.cbi.com)

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**From:** Berger, Sharon (Recovery) [<mailto:sberger@recovery.nyc.gov>]  
**Sent:** Thursday, June 20, 2013 7:41 AM  
**To:** 'jeffrey.zappieri@dos.state.ny.us'; 'Terra.Sturn@dos.ny.gov'; 'Denise.Caldwell@dos.ny.gov'  
**Cc:** Brogan, Jane (OMB); Castaneda, Catherine; Vovaris, Jill; 'Armao.Christopher@bcg.com'  
**Subject:** Fw: NYCHA Consistency Assessment Form - signed

Hello Mr. Zappieri, Ms. Sturn and Ms. Caldwell,

Attached is the NYCHA WRP formed signed by the responsible entity - OMB. A copy is being mailed to you as well.

I will follow up with a phone call to ensure that you have all the information needed.

We would appreciate a quick response but understand that due diligence must be taken.

Thank you for your time.

Best regards,

Sharon Berger

Sharon Berger  
Director of Technical Services  
Housing Recovery Office  
Cell: 347-255-6290

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**From:** Brogan, Jane (OMB)  
**Sent:** Tuesday, June 18, 2013 07:14 PM  
**To:** Berger, Sharon (Recovery); Johnson, Calvin (OMB)  
**Subject:** NYCHA Consistency Assessment Form - signed

Sharon,

Calvin signed the Consistency Assessment Form today, and we will mail it to Jeff Zappieri at the NY Department of State tomorrow. I've attached a scanned copy if you wanted to email it to him also.

**Jane K. Brogan**

Unit Head-Program & Policy, CDBG Disaster Recovery  
NYC Office of Management and Budget  
255 Greenwich Street, 8<sup>th</sup> Floor  
New York, NY 10007  
P: 212-788-1407

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The City of New York  
**Office of Management and Budget**  
255 Greenwich Street • New York, New York 10007-2146

June 18, 2013

Jeff Zappieri  
Supervisor, Consistency Review Unit  
Office of Communities and Waterways  
New York Department of State, Ste 1010  
One Commerce Place, 99 Washington Ave.  
Albany, New York 12231-0001

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Rehabilitation and Reconstruction  
NEPA Consultation: Tier I Environmental Review

Dear Mr. Zappieri:

The National Environmental Policy Act (NEPA) requires federal agencies, including HUD, to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant-Disaster Recovery (CDBG-DR) funded programs to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and Executive Orders. NYC is conducting a tiered ER of several CDBG-DR funded programs. The purpose of the Tier I ER is to facilitate review of environmental factors and regulations on a broad or programmatic-wide level. The City is requesting comments from the New York Department of State (DOS) as well as other federal, state, and local agencies to inform both tiers of the ER process to be retained for the Environmental Record. A Tier I ER of the NYC Public Housing Authority (NYCHA) Public Housing Rehabilitation and Resiliency is under preparation for an anticipated publication date of July 2, 2013.

The City is hereby specifically requesting your department's review of the Waterfront Revitalization Program Consistency Assessment Form and policy explanations prepared for the proposed **NYCHA Public Housing Rehabilitation and Resiliency** program, as it was presented and reviewed by the Waterfront Revitalization Program of the NYC Department of City Planning (DCP). For your consideration, please find a copy of this document attached, along with the email correspondence with DCP regarding its consistency determination.

Regards,

Calvin Johnson  
Director, Community Development Block Grant – Disaster Recovery  
NYC Office of Management and Budget  
255 Greenwich Street, 8<sup>th</sup> Floor  
New York, NY 10007  
johnsonc@omb.nyc.gov

June 18, 2013  
Jeff Zappieri  
New York Department of State  
Page 2

cc: Preparer: Kevin Donnelly, Program Manager, Housing Recovery Office, Department of  
Environmental Protection, New York City; [kdonnelly@recovery.nyc.gov](mailto:kdonnelly@recovery.nyc.gov)

Attachments: New York City Waterfront Revitalization Program Consistency Assessment Form

For Internal Use Only:

Date Received: \_\_\_\_\_

WRP no. \_\_\_\_\_

DOS no. \_\_\_\_\_

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: City of New York - Office of Management and Budget (OMB)
2. Address: 250 Broadway, New York, NY 10007 (c/o Raymond Ribeiro, VP Capital Projects, NYCHA)
3. Telephone: 212-306-8685 Fax: 212-306-4880 E-mail: Raymond.Ribeiro@nycha.nyc.gov
4. Project site owner: New York City Housing Authority (NYCHA) - various public housing developments in NYC

### B. PROPOSED ACTIVITY

1. Brief description of activity:

The New York City Housing Authority (NYCHA) intends to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program. The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The focus of this WRP Consistency Assessment is the Public Housing Rehabilitation and Resiliency Program. Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. SEE ATTACHED EXPANDED PROJECT DESCRIPTION.

2. Purpose of activity:

NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

3. Location of activity: (street address/borough or site description):

Projects funded with CDBG-DR would be located in areas of impact from Sandy throughout New York City. Although CDBG-DR funding would be provided to the Office of Management and Budget (OMB), which is the Responsible Entity (RE) under Part 58, the public housing component would be administered by NYCHA. NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

**Proposed Activity Cont'd**

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

Possible SPDES permits for any sites larger than 1 acre.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

Grant funding from HUD's Community Development Block Grant Disaster Recovery (CDBG-DR) program.

6. Will the proposed project require the preparation of an environmental impact statement?

Yes \_\_\_\_\_ No ✓ \_\_\_\_\_ If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

Construction funding.

**C. COASTAL ASSESSMENT**

**Location Questions:**

	Yes	No
1. Is the project site on the waterfront or at the water's edge?	<u>✓</u>	_____
2. Does the proposed project require a waterfront site?	<u>✓</u>	_____
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	<u>✓</u>	_____

**Policy Questions**

**Yes No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)	<u>✓</u>	_____
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<u>✓</u>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	<u>✓</u>

**Policy Questions cont'd**

	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____	_____✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	_____✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	_____✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____✓	_____
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	_____✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	_____✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	_____✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	_____✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	_____✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	_____✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	_____✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____✓	_____
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)	_____	_____✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____✓	_____
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____✓	_____
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____✓	_____
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	_____✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	_____✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	_____✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	_____✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	_____✓
28. Would the action cause violations of the National or State air quality standards? (5.2)	_____	_____✓

**Policy Questions cont'd**

	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	✓ _____
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	_____	✓ _____
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	✓ _____
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓ _____	_____
33. Would the action result in any construction activities that would lead to erosion? (6)	_____	✓ _____
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)	_____	✓ _____
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	✓ _____
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	✓ _____	_____
37. Would the proposed project affect a non-renewable source of sand ? (6.3)	_____	✓ _____
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)	✓ _____	_____
39. Would the action affect any sites that have been used as landfills? (7.1)	_____	✓ _____
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	✓ _____	_____
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	✓ _____	_____
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	✓ _____
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	✓ _____	_____
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)	_____	✓ _____
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)	_____	✓ _____
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	_____	✓ _____
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	✓ _____
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	_____	✓ _____
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	✓ _____
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	_____	✓ _____

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological or cultural resources? (10)

\_\_\_\_\_ ✓

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

✓ \_\_\_\_\_

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: City of New York - Office of Management and Budget

Address: 250 Broadway, (c/o Raymond Ribeiro, VP Capital Projects, NYCHA)

New York, NY 10007

Telephone 212-306-8685

Applicant/Agent Signature: 

Date: 5/21/13

Preparing Agency : Mayor's Office of Housing Recovery Operations

Address :

250 Broadway, 24<sup>th</sup> Fl NY, NY 10007

Preparing Agency Signature :

Kevin F. Donnelly, P.E.  
KEVIN F. DONNELLY  
PROGRAM MANAGER

**COASTAL ASSESSMENT EXPLANATION OF CONSISTENCY**  
**Community Development Block Grant Disaster Recovery (CDBG-DR)**  
**Housing Component – Public Housing Rehabilitation and Resiliency**

**Full Project Description:**

The New York City Housing Authority (NYCHA) intends to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. As described in more detail below, NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure. The objectives of the program include:

1. Help Sandy victims directly by replacing and rehabilitating housing units, including identifying opportunities for mitigation enhancement measures;
2. Help Sandy victims by improving the resilience of their housing units while restoring their buildings/residences;
3. Support resilience improvements to reduce risk and strengthen neighborhoods in flood zones;
4. Leverage philanthropic investments to address immediate gaps with flexible capital and maximize CDBG dollars at scale.

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 Sandy and other eligible events in calendar years 2011, 2012, and 2013". The U.S. Department of Housing and Urban Development (HUD), which administers CDBG-DR funds, was ordered to disburse the funds in at least two phases: 33% within the 60 days following the law's enactment and the remainder to be released at a later date. The Act also requires grantees to submit an Action Plan to the HUD Secretary "detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas."

NYCHA intends to utilize CDBG-DR primarily to improve resiliency at its most vulnerable buildings, rehabilitation of its community centers and increased flood mitigation measures at buildings prone to flooding. The use of CDBG-DR would promote the preservation of the City's public housing infrastructure.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. The Housing Action Plan released by the City of New York details how the City's housing agencies intend to utilize the housing portion of this first allocation, including how it will leverage other funding sources to address areas of unmet need. The City will have a single program with several permanent housing recovery paths that maximize coordination across agencies. In this way, the City's program will leverage scale, where possible, while providing solutions tailored for the different needs of homeowners or landlords in need of assistance (e.g., by geography, building type and size). Specifically, the City will have the following core paths to provide assistance to those who suffered damage from Sandy:

- NYC Houses Rehabilitation – Grants for reconstruction or rehabilitation of homes that have been destroyed or damaged by Sandy. Assistance will incorporate resilience measures for homes that are destroyed or have substantial damage, as defined by the Department of Buildings.
- Multi-family Building Rehabilitation – Grants, low interest loans, and/or credit support for rebuilding or rehabilitation of multi-family rental buildings that have suffered damage.

Rebuilding or rehabilitation will incorporate resilience measures for those multi-family buildings that have been destroyed or have suffered major damage.

- Public Housing Rehabilitation and Resilience - Under this program, improvements will be made to the City's public housing infrastructure. These improvements are intended to make direct rehabilitation, replacement of critical systems and building infrastructure as well as installing new measures that will restore buildings systems and services to pre-storm conditions, strengthening the buildings by making the new systems more resilient, and further promoting the preservation of the public housing asset with the implementation of sustainable designs.

Of the initial \$648 million allocated to housing, the City will allocate \$108 million to design and construct improvements to public housing directly impacted by Hurricane Sandy. These improvements are intended to perform direct rehabilitation, replace critical systems and building infrastructure, and install new measures that will restore buildings systems and services to pre-storm conditions, strengthening the buildings by making the new systems more resilient, and further promoting the preservation of the public housing asset with the implementation of sustainable designs.

In addition, NYCHA is considering other efforts that include:

- Strengthening emergency response and preparedness for future floods with initiatives such as a new Emergency Operations Center, a standard Incident Command Structure-based system, and rehabilitating a total of 90 Community Centers located in Zone A.
- Increasing the resilience to mitigate future flood risk at NYCHA developments by implementing basic resiliency and mitigation measures (i.e. raised boilers and electrical switch gear) to all buildings in the new Zone A.

### Policy Question Explanations

The answer to the following Policy Questions was yes; therefore, more detailed explanations on relevant policies are provided below.

#### Policy Questions:

*4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (Policy 1 - Support and facilitate commercial and residential redevelopment in areas well-suited to such development)*

**Yes, the proposed project would result in the revitalization of severely damaged public housing developments in coastal areas. The CDBG-DR grant would have no substantial effect on this policy other than to support the implementation of resiliency and/or rehabilitation activities at NYCHA developments in coastal areas. No new construction on previously vacant sites within the coastal zone or in waterfront areas is proposed. The proposed activities would be served by existing infrastructure and would be carried out in accordance with the City's Zoning Resolution (including recently issued Executive Order 233) and the guidelines of FEMA's Advisory Base Flood Elevations (ABFE). Funding made available through the CDBG-DR grant would help victims of Sandy – including residents of public housing - achieve permanent, sustainable housing solutions that allow them to remain in New York City – returning to their neighborhoods, where possible. The available funding would help revitalize these neighborhoods in coastal areas, and reconnect displaced residents to the waterfront.**

*5. Is the project site appropriate for residential or commercial redevelopment? (Policy 1.1 – Encourage commercial and residential redevelopment in appropriate coastal zone areas)*

**Yes, the sites are appropriate since CDBG-DR funding would be used for the implementation of resiliency and/or rehabilitation activities at NYCHA developments damaged by Sandy. Funding would be applied to projects located on sites that have been improved with residential buildings.**

**Land uses would remain compatible and funding would not result in new construction on any vacant sites or sites containing unique or significant natural features. For any properties located near Special Natural Waterfront Areas (SNWAs), the proposed activities would allow for the continued functioning of these areas.**

**In response to the need to elevate buildings based on the ABFE maps released by FEMA in January 2013, Mayor Michael Bloomberg signed Executive Order 233 on February 5, 2013. The purpose of Executive Order 233, titled “Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards”, allows for the waiving of certain provisions of the Zoning Resolution that could have prevented, hindered or delayed disaster recovery.**

**Projects would be consistent with New York City’s Zoning Resolution and some may construct in accordance with provisions allowed through Executive Order 233. No significant effects related to zoning and adopted public policies are expected from the proposed activities, which would consist of the implementation of resiliency and/or rehabilitation measures at public housing developments damaged by Sandy.**

*10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (Policy 2.1 - Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas)*

**Yes, as part of the resiliency component of the CDBG grant funded activities, NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency.**

**The installation of generators would not constitute a “facility” generating and transmitting large amounts of energy. The generators, when in use, would be self-contained systems utilizing diesel fuel. In accordance with the requirements of 1 RCNY §12-01 and §24-109 of the Administrative Code of the City of New York, all emergency power generation equipment would be registered with the NYC Department of Environmental Protection (DEP), Bureau of Air Resources. Emergency generators are requisite to maintaining and restoring public utilities during an emergency situation, and are usually limited in operational duration. Emissions from this equipment would be temporary in nature and regulated by DEP. These activities would have no effect on this policy.**

*18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (Policy 4 - Protect and restore the quality and function of ecological systems within the New York City coastal area; Policy 9.2 – Protect scenic values associated with natural resources)*

**Yes, existing public housing developments which are located near or within one of the designated SNWAs may be funded through the CDBG-DR grant; however, the CDBG-DR grant would have no substantial effect on either policy other than to implement resiliency and/or rehabilitation activities at these developments. Funding would be applied to projects located on sites that have been improved with residential buildings.**

**The proposed activities associated with the CDBG-DR grant would allow for the continued functioning of SNWAs and would have no effect on ecological systems, unique or significant natural features, and scenic resources. Fragmentation or loss of habitat areas within the SNWAs**

would not occur and no adverse changes to the ecological complexes and their natural processes would result. The rehabilitation of structures would not interrupt landscapes, nor would it include the introduction of discordant elements. The funded activities would not result in changes to the continuity and configuration of natural shorelines and associated vegetation.

Regarding federally designated tidal and freshwater wetlands, an evaluation as required by Executive Order 11990 would be conducted in accordance with HUD regulations at 24 CFR 55.20 to determine the potential environmental effect of any proposed activities near a wetland area. The use of CDBG-DR funding for the implementation of resiliency and/or rehabilitation activities at NYCHA properties would not involve any new construction on previously vacant sites, including designated wetlands or associated vegetation buffer areas. Furthermore, no filling or draining of such areas would occur as a result of these activities.

Regarding threatened or endangered species, according to the U.S. Fish and Wildlife Service (FWS) information available for Queens County (Borough of Queens), the piping plover (threatened bird species), the roseate tern (endangered bird species), and the seabeach amaranth (threatened plant species) are known/likely to occur. Therefore, CDBG-DR funded rehabilitation activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway have the potential to affect these species and for any CDBG-DR funded rehabilitation activities located on the Rockaway peninsula, HPD would consult with FWS to determine whether these species are likely to be affected. Potential impacts will be addressed in the event that FWS involvement is warranted. In addition, the species list by County for New York State on the FWS website will be checked routinely for updates.

NYCHA buildings, resiliency measures will be incorporated to the extent practicable. Such measures include floodproofing basements and elevating boilers and other critical infrastructure.

*36. Does the proposed project involve use of public funds for flood prevention or erosion control? (Policy 6.2 - Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit)*

Yes, CDBG-DR funding may be used to provide flood prevention and erosion control measures for storm damaged NYCHA public housing developments. The proposed activities associated with the CDBG-DR grant would have no substantial effect on this policy other than to rehabilitate and provide resiliency measures to buildings in areas prone to coastal flooding. The measures funded, which would include rehabilitation of these buildings in accordance with ABFEs and other forms of structural flood-proofing would provide a public health and safety benefit by preventing damage and residential displacement as a result of future coastal flooding. Standard erosion control measures would be in place at construction sites in accordance with all applicable state, federal, and local regulations.

*38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (Policy 7 - Minimize environmental degradation from solid waste and hazardous substances)*

Yes, the proposed activities may result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants. The CDBG-DR grant would support the implementation of resiliency and/or rehabilitation activities at NYCHA developments. These activities may result in the generation, handling, storage and shipment of construction and demolition debris, and in other regulated waste. The handling, storage, and transport of waste generated by CDBGDR-related activities, including excavated contaminated soil, would be handled in accordance with applicable regulations. No deleterious effects on humans or the environment are anticipated.

Work would be performed by United States Environmental Protection Agency-licensed (EPA) firms with licensed workers who hold an EPA certification. The proposed activities would have no substantial effect on this policy.

*40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form of petroleum product use or storage? (Policy 7.2 - Prevent and remediate discharge of petroleum products)*

**Yes, the proposed activities may occur on sites that contain contamination or have a history of underground storage tanks and open spills from previous uses. This includes cases of open petroleum spills called in to the New York State Department of Environmental Conservation (NYSDEC) as a result of Sandy related damage and flooding. CDBG-DR funding would be used exclusively for residential rehabilitation and resiliency purposes and all funded projects will be screened for potential hazardous materials contamination, including, but not limited to the review of historic Sanborn Maps, database searches and field inspections. If the potential for contamination cannot be ruled out, a Phase II Subsurface Investigation would be required. If contaminants are identified, remediation would be required and conducted in accordance with all applicable city, state and federal regulations. In addition, demolition debris including lead and asbestos will be handled in accordance with all applicable federal, state and local regulations.**

**In some cases, the installation of new above-ground storage tanks for residential fuel oil may be required. Also, as part of the resiliency component of the CDBG grant funded activities, NYCHA proposes to install alternate power sources to provide electrical power to building elevators, public hallways stairwells, public spaces, building lobbies, trash compactors, and critical water / heating and domestic / hot water system pumps and controls in order to maintain essential building services in the event of a general power failure due to a coastal storm or other emergency. Any new tanks or permanent generators would be registered and would be sited and installed in accordance with all applicable federal, state and local regulations to prevent the unregulated discharge of petroleum products into coastal waterways. The proposed activities would have no substantial effect on this policy.**

*41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (Policy 7.3 - Transport solid waste and hazardous substances and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources)*

**Yes, the funded activities may result in the storage and transportation of construction and demolition debris, and other regulated waste, including hazardous materials. However, the proposed activities would have no effect on this policy. The CDBG-DR grant would support the implementation of resiliency and/or rehabilitation activities at NYCHA developments. The proposed activities would be limited to residential properties and would not include the siting of solid or hazardous waste facilities or major petroleum-related facilities. If on site contaminants are identified prior to the rehabilitation activities, remediation would be required and conducted in accordance with all applicable city, state and federal regulations. Hazardous waste, including Contaminated soil, lead and asbestos would be transported by State licensed haulers that would comply with federal, state and local regulations regarding commercial trucking.**

**In some cases, the installation of new above-ground storage tanks for residential fuel oil may be required. Also, as part of the resiliency component of the CDBG grant funded activities, Any new tanks or permanent generators would be registered and would be sited and installed in accordance with all applicable federal, state and local regulations to prevent the unregulated discharge of petroleum products into coastal waterways.**

*43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (Policy 8 - Provide public access to and along New York City's coastal waters)*

**Yes, storm damaged NYCHA public housing developments awarded funding through the CDBGDR grant may be located adjacent to federal, state, or city parkland or other land in public ownership**

protected for open space preservation; however, grant activities would have no effect on this policy as funding would be provided to existing residential properties and activities are limited to resiliency and/or rehabilitation. New construction on designated open spaces would not occur and the proposed activities would not alter physical, visual, or recreational access to any public open space or coastal waters. Existing public waterfront access locations would be preserved.

*52. Will the proposed activity affect or be located in, on or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (Policy 10 - Protect, preserve and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area)*

**Yes, storm damaged NYCHA public housing developments awarded funding through the CDBGDR grant may be located in, on or adjacent to a historic resource listed on the State or National Register of Historic Places, or designated as a landmark by the City of New York. NYCHA's utilization of CDBG-DR is required to comply with Section 106 of the National Historic Preservation Act. The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), acting as the State Historic Preservation Office (SHPO), was consulted in accordance with Section 106. As part of the consultation, a list of all potentially funded public housing developments operated by NYCHA was provided. In a letter dated March 8, 2013 (attached), PRHP indicated that additional materials are required for selected developments within Manhattan, Brooklyn, and Queens. The remaining developments do not appear to meet National Register criteria.**

**Site specific reviews in accordance with Section 106 would be undertaken for those developments listed in OPRHP's March 8, 2013 letter. If a project has the potential to affect a historic resource, measures would be explored to minimize or eliminate adverse effects on historic resources. Ground disturbance is not anticipated with utilization of CDBG-DR. In the event that individual project scopes call for new or deeper disturbance that what existed pre-storm, projects would be reviewed for archaeological sensitivity. As necessary, a Memorandum of Agreement (MOA) would be executed between OPRHP and NYCHA to ensure there are no adverse effects expected from the use of CDBG-DR for NYCHA's resiliency and/or rehabilitation activities.**



## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation  
Peebles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643  
www.nysparks.com

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

March 08, 2013

John Leonard  
Office of Management and Budget  
255 Greenwich St, 8th Floor  
New York, New York 10007  
(via e-mail)

Re: CD, HUD  
CD/Disaster Recovery for NYCHA properties damaged  
by Hurricane Sandy  
Kings, Manhattan, Richmond, and Queens Counties,  
13PR00623

Dear Mr. Leonard:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic resources.

Please see findings list indicating properties that do not appear to meet the National Register criteria.

Our office notes that the following properties are Eligible or Listed on the National Register of Historic Places. With regards to archeology, our office has concerns for areas with new or deeper disturbance that what existed pre-storm. We request the following additional information to continue our review:

1. Specific building location where proposed repairs are to take place. Please provide a site plan and/or floor plans.
2. Plans/specifications and/or a scope of work fully describing all interior and exterior work proposed.
3. Clear color photographs illustrating all areas to be effected by interior and exterior work. Photos should be keyed to a site or building plan indicating the location and direction of each image. Digital images are acceptable provided they are printed in color at a high resolution and are at least 4" by 6" in size.

**Harlem River Houses** (1937) is listed on the State and National Registers of Historic Places.

Based on the limited information provided in the project submission and preliminary research by our Survey and Evaluation Unit, the properties listed below appear to meet the criteria for listing to the National Register of Historic Places as intact representative examples of public housing built by the New York City Housing Authority (NYCHA) in the late 1930s into the post World War II era. These housing complexes meet Criterion A in the following areas: (1) Social History, as a physical representation of the long-held concern that government was necessary to better the lives of the urban poor; (2) Politics/Government, for the Federal and local government's

acceptance of responsibility, through legislative and direct action, to assist in providing housing for low-income residents; and 3) Community Development, by serving to alleviate a housing shortage among low-income residents especially following World War II. The complexes also meet Criterion C under the themes of Architecture and Community Planning & Development. The design and construction of the buildings and their placement in a designed landscape is representative of modern urban planning design theory of the period. (n.b. The list below was based on very preliminary research only. In order to do a thorough evaluation of NYCHA's housing developments a context statement and intensive-level survey should be undertaken in the future.)

**MANHATTAN**

- Baruch Houses. 1959. Emery Roth & Sons.
- East River Houses. 1941. Voorhees, Walker, Foley & Smith in association with C.W. Schlusing and Alfred Easton Poor.
- Governor Alfred E. Smith Houses. 1952. Eggers & Higgins.

**BROOKLYN**

- Red Hook Houses East and West. 1937. Electus D. Litchfield

**QUEENS**

- Queensbridge Houses (North and South). 1939-40. William F.R. Ballard, chief architect. Henry Churchill, Frederick G. Frost, Burnett C. Turner, associate architects.

If you have any questions, I can be reached at (518) 237-8643, ext. 3260 or [eric.kuchar@parks.ny.gov](mailto:eric.kuchar@parks.ny.gov). Please refer to the SHPO Project Review (PR) number in any future correspondences regarding this project.

Sincerely,



Eric N. Kuchar  
Weatherization Specialist

CC: Gina Santucci, LPC

Enclosure: Findings List: NYCHA Properties Not National Register Eligible or Listed

**Findings List: NYCHA Properties Not National Register Eligible or Listed**

BOROUGH	DEVELOPMENT	BLDG#	ADDRESS
MANHATTAN	335 EAST 111TH STREET	1	335 EAST 111TH STREET
QUEENS	ASTORIA	1	4-21 ASTORIA BOULEVARD
QUEENS	ASTORIA	2	28-02 8TH STREET
QUEENS	ASTORIA	3	27-10 8TH STREET
QUEENS	ASTORIA	4	4-10 27TH AVENUE
QUEENS	ASTORIA	5	4-03 ASTORIA BOULEVARD
QUEENS	ASTORIA	6	3-20 27TH AVENUE
QUEENS	ASTORIA	7	3-04 27TH AVENUE
QUEENS	ASTORIA	8	2-10 27TH AVENUE
QUEENS	ASTORIA	9	1-25 ASTORIA BOULEVARD
QUEENS	ASTORIA	10	27-05 1ST STREET
QUEENS	ASTORIA	11	27-25 1ST STREET
QUEENS	ASTORIA	12	1-05 ASTORIA BOULEVARD
QUEENS	ASTORIA	13	4-24 ASTORIA BOULEVARD
QUEENS	ASTORIA	15	3-02 ASTORIA BOULEVARD
QUEENS	ASTORIA	16	3-06 ASTORIA BOULEVARD
QUEENS	ASTORIA	17	3-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	18	2-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	19	2-06 ASTORIA BOULEVARD
QUEENS	ASTORIA	20	2-04 ASTORIA BOULEVARD
QUEENS	ASTORIA	21	1-20 ASTORIA BOULEVARD
QUEENS	ASTORIA	22	1-10 ASTORIA BOULEVARD
QUEENS	ASTORIA	23	1-04 ASTORIA BOULEVARD
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	1	40-20 BEACH CHANNEL DRIVE
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	2	453 BEACH 40TH STREET
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	3	438 BEACH 40TH STREET
QUEENS	BEACH 41ST STREET-BEACH CHANNEL DRIVE	4	456 BEACH 40TH STREET
MANHATTAN	CAMPOS PLAZA I	1	635 EAST 12TH STREET
MANHATTAN	CAMPOS PLAZA I	2	205 AVENUE C
MANHATTAN	CAMPOS PLAZA II	3	643 EAST 13TH STREET
MANHATTAN	CAMPOS PLAZA II	4	612 EAST 14TH STREET
BROOKLYN	CAREY GARDENS	1	2946 WEST 23RD STREET
BROOKLYN	CAREY GARDENS	2	2945 WEST 23RD STREET
BROOKLYN	CAREY GARDENS	3	2832 WEST 23RD STREET
QUEENS	CARLETON MANOR	1	71-15 BEACH CHANNEL DRIVE
MANHATTAN	CLINTON	1	1505 PARK AVENUE
MANHATTAN	CLINTON	2	1760 LEXINGTON AVENUE
MANHATTAN	CLINTON	3	1738 LEXINGTON AVENUE
MANHATTAN	CLINTON	4	1485 PARK AVENUE
MANHATTAN	CLINTON	5	1405 PARK AVENUE
MANHATTAN	CLINTON	6	107 EAST 105TH STREET
BROOKLYN	CONEY ISLAND	1	3025 WEST 32ND STREET
BROOKLYN	CONEY ISLAND	2	3030 SURF AVENUE
BROOKLYN	CONEY ISLAND	3	3020 SURF AVENUE

BROOKLYN	CONEY ISLAND	4	3002 SURF AVENUE
BROOKLYN	CONEY ISLAND	5	3028 WEST 29TH STREET
BROOKLYN	CONEY ISLAND 1 (SITE 1B)	1	2007 SURF AVENUE
BROOKLYN	CONEY ISLAND 1 (SITE 8)	1	2950 WEST 35TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2925 WEST 27TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2926 WEST 25TH STREET
BROOKLYN	CONEY ISLAND 1 (SITES 4 & 5)	1	2949 WEST 28TH STREET
MANHATTAN	DYCKMAN	1	177 NAGLE AVENUE
MANHATTAN	DYCKMAN	2	3716 10TH AVENUE
MANHATTAN	DYCKMAN	3	195 NAGLE AVENUE
MANHATTAN	DYCKMAN	4	3736 10TH AVENUE
MANHATTAN	DYCKMAN	5	213 NAGLE AVENUE
MANHATTAN	DYCKMAN	6	3758 10TH AVENUE
MANHATTAN	DYCKMAN	7	3784 10TH AVENUE
MANHATTAN	EAST 120TH STREET REHAB	1	438 EAST 120TH STREET
MANHATTAN	ELLIOTT	1	288 10TH AVENUE
MANHATTAN	ELLIOTT	2	466 WEST 26TH STREET
MANHATTAN	ELLIOTT	3	446 WEST 26TH STREET
MANHATTAN	ELLIOTT	4	427 WEST 26TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	143-03 105TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	109-40 176TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	104-06 FARMERS BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	187-24 KEESEVILLE AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	202-06 116TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	213-24 NASHVILLE BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	150-36 116TH ROAD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	118-03 204TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	137-22 WESTGATE STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	100-40 202ND STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	104-33 203RD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	110-26 216TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-69 145TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	148-13 SUTTER AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	133-17 149TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	132-33 218TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	132-19 BENNETT COURT
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	194-17 114TH DRIVE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	115-21 200TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-11 130TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	138-11 LINDEN BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-18 INWOOD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	130-34 147TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	114-22 166TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	117-22 133RD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	1	218-34 119TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	3	178-14 BAISLEY BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	5	1502 BEACH 12TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP I)	6	1504 BEACH 12TH STREET

BRONX	FHA REPOSSESSED HOUSES (GROUP II)	1	444 TORRY AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	126-01 116TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	110-16 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	133-11 148TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	105-11 171ST PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	111-33 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	113-14 196TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	215-32 112TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	171-28 111TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	114-42 139TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	1	223-20 FRANCIS LEWIS BOULEVARD
QUEENS	FHA REPOSSESSED HOUSES (GROUP II)	2	129-04 142ND STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	174-16 111TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	217-09 110TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-37 144TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	119-55 177TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	188-56 120TH ROAD
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	121-28 BENTON STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	191-18 120TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	104-10 212TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	112-22 198TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	214-15 HOLLIS AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	131-27 135TH PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	114-54 INWOOD STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	114-34 146TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-46 156TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	117-17 204TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	136-15 221ST STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	145-12 229TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	231 FERNSIDE PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	142-21 129TH AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	94-29 211TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	193-10 WOODHULL AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	109-16 210TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	110-05 225TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	239 FERNSIDE PLACE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	138-20 102ND AVENUE
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	1	111-27 207TH STREET
QUEENS	FHA REPOSSESSED HOUSES (GROUP X)	16	153 BEACH 59TH STREET
BROOKLYN	GOWANUS	1	175 HOYT STREET
BROOKLYN	GOWANUS	2	178 BOND STREET
BROOKLYN	GOWANUS	3	181 HOYT STREET
BROOKLYN	GOWANUS	4	417 BALTIC STREET
BROOKLYN	GOWANUS	4	423 BALTIC STREET
BROOKLYN	GOWANUS	5	186 BOND STREET
BROOKLYN	GOWANUS	6	195 HOYT STREET
BROOKLYN	GOWANUS	7	198 BOND STREET
BROOKLYN	GOWANUS	8	414 BALTIC STREET

BROOKLYN	GOWANUS	9	426 BALTIC STREET
BROOKLYN	GOWANUS	10	231 HOYT STREET
BROOKLYN	GOWANUS	11	235 HOYT STREET
BROOKLYN	GOWANUS	12	234 BOND STREET
BROOKLYN	GOWANUS	13	241 HOYT STREET
BROOKLYN	GOWANUS	14	244 BOND STREET
BROOKLYN	GRAVESEND	1	3225 NEPTUNE AVENUE
BROOKLYN	GRAVESEND	2	2749 WEST 33RD STREET
BROOKLYN	GRAVESEND	3	2703 WEST 33RD STREET
BROOKLYN	GRAVESEND	4	2673 WEST 33RD STREET
BROOKLYN	GRAVESEND	5	3246 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	6	3222 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	7	3194 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	8	3162 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	9	3112 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	10	2729 WEST 33RD STREET
BROOKLYN	GRAVESEND	11	3201 NEPTUNE AVENUE
BROOKLYN	GRAVESEND	12	3144 BAYVIEW AVENUE
BROOKLYN	GRAVESEND	13	2719 WEST 33RD STREET
BROOKLYN	GRAVESEND	14	2737 WEST 33RD STREET
BROOKLYN	GRAVESEND	15	3178 BAYVIEW AVENUE
BROOKLYN	HABER	1	3058 WEST 24TH STREET
BROOKLYN	HABER	2	3018 WEST 24TH STREET
BROOKLYN	HABER	3	3031 WEST 25TH STREET
QUEENS	HAMMEL	1	85-02 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	2	84-10 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	3	84-12 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	4	84-14 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	5	84-16 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	6	84-18 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	7	82-02 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	8	81-10 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	9	81-04 ROCKAWAY BEACH BOULEVARD
QUEENS	HAMMEL	10	81-03 HAMMELS BOULEVARD
QUEENS	HAMMEL	11	81-01 HAMMELS BOULEVARD
QUEENS	HAMMEL	12	81-05 HAMMELS BOULEVARD
QUEENS	HAMMEL	13	82-01 HAMMELS BOULEVARD
QUEENS	HAMMEL	14	82-03 HAMMELS BOULEVARD
MANHATTAN	HARLEM RIVER II	8	2850 F DOUGLASS BOULEVARD
MANHATTAN	HOLMES TOWERS	1	1780 1ST AVENUE
MANHATTAN	HOLMES TOWERS	2	405 EAST 92ND STREET
BROOKLYN	INGERSOLL	16	102 MONUMENT WALK
BROOKLYN	INGERSOLL	17	82 SAINT EDWARDS STREET
BROOKLYN	INGERSOLL	18	80 MONUMENT WALK
BROOKLYN	INGERSOLL	19	55 MONUMENT WALK

BROOKLYN	INGERSOLL	20	50 MONUMENT WALK
BROOKLYN	INGERSOLL	21	36 SAINT EDWARDS STREET
BROOKLYN	INGERSOLL	22	9 MONUMENT WALK
BROOKLYN	INGERSOLL	23	8 MONUMENT WALK
BROOKLYN	INGERSOLL	24	143 NAVY WALK
BROOKLYN	INGERSOLL	25	160 NAVY WALK
BROOKLYN	INGERSOLL	26	340 HUDSON WALK
BROOKLYN	INGERSOLL	27	58 FLEET WALK
BROOKLYN	INGERSOLL	28	125 NAVY WALK
BROOKLYN	INGERSOLL	29	45 FLEET WALK
BROOKLYN	INGERSOLL	30	38 FLEET WALK
BROOKLYN	INGERSOLL	31	29 FLEET WALK
BROOKLYN	INGERSOLL	32	28 FLEET WALK
BROOKLYN	INGERSOLL	33	95 NAVY WALK
BROOKLYN	INGERSOLL	34	8 FLEET WALK
BROOKLYN	INGERSOLL	35	5 FLEET WALK
MANHATTAN	ISAACS	1	419 EAST 93RD STREET
MANHATTAN	ISAACS	2	1830 1ST AVENUE
MANHATTAN	ISAACS	3	1806 1ST AVENUE
MANHATTAN	JEFFERSON	1	310 EAST 115TH STREET
MANHATTAN	JEFFERSON	2	320 EAST 115TH STREET
MANHATTAN	JEFFERSON	3	332 EAST 115TH STREET
MANHATTAN	JEFFERSON	4	2235 1ST AVENUE
MANHATTAN	JEFFERSON	5	2215 1ST AVENUE
MANHATTAN	JEFFERSON	6	2201 1ST AVENUE
MANHATTAN	JEFFERSON	7	2185 1ST AVENUE
MANHATTAN	JEFFERSON	8	335 EAST 112TH STREET
MANHATTAN	JEFFERSON	9	327 EAST 112TH STREET
MANHATTAN	JEFFERSON	10	310 EAST 113TH STREET
MANHATTAN	JEFFERSON	11	2185 2ND AVENUE
MANHATTAN	JEFFERSON	12	2055 3RD AVENUE
MANHATTAN	JEFFERSON	13	2065 3RD AVENUE
MANHATTAN	JEFFERSON	14	2095 3RD AVENUE
MANHATTAN	JEFFERSON	15	220 EAST 115TH STREET
MANHATTAN	JEFFERSON	16	230 EAST 115TH STREET
MANHATTAN	JEFFERSON	17	2237 2ND AVENUE
MANHATTAN	JEFFERSON	18	2215 2ND AVENUE
MANHATTAN	LA GUARDIA	1	45 RUTGERS STREET
MANHATTAN	LA GUARDIA	2	55 RUTGERS STREET
MANHATTAN	LA GUARDIA	3	65 JEFFERSON STREET
MANHATTAN	LA GUARDIA	4	300 CHERRY STREET
MANHATTAN	LA GUARDIA	5	240 MADISON STREET
MANHATTAN	LA GUARDIA	6	250 CLINTON STREET
MANHATTAN	LA GUARDIA	7	230 CLINTON STREET
MANHATTAN	LA GUARDIA	8	340 CHERRY STREET
MANHATTAN	LA GUARDIA	9	280 MADISON STREET
MANHATTAN	LA GUARDIA ADDITION	10	282 CHERRY STREET
MANHATTAN	LAVANBURG HOMES	1	126 BARUCH PLACE

MANHATTAN	LINCOLN	1	60 EAST 135TH STREET
MANHATTAN	LINCOLN	2	1980 PARK AVENUE
MANHATTAN	LINCOLN	3	1960 PARK AVENUE
MANHATTAN	LINCOLN	4	2101 MADISON AVENUE
MANHATTAN	LINCOLN	5	2121 MADISON AVENUE
MANHATTAN	LINCOLN	6	2133 MADISON AVENUE
MANHATTAN	LINCOLN	7	2155 MADISON AVENUE
MANHATTAN	LINCOLN	8	2150 MADISON AVENUE
MANHATTAN	LINCOLN	9	2130 MADISON AVENUE
MANHATTAN	LINCOLN	10	2110 MADISON AVENUE
MANHATTAN	LINCOLN	11	2120 MADISON AVENUE
MANHATTAN	LINCOLN	12	2175 5TH AVENUE
MANHATTAN	LINCOLN	13	2199 5TH AVENUE
MANHATTAN	LINCOLN	14	2140 MADISON AVENUE
MANHATTAN	LOWER EAST SIDE I INFILL	1	175 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	2	45 STANTON STREET
MANHATTAN	LOWER EAST SIDE I INFILL	3	201 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	4	200 ELDRIDGE STREET
MANHATTAN	LOWER EAST SIDE I INFILL	5	71 STANTON STREET
MANHATTAN	LOWER EAST SIDE II	2	637 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	3	644 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	3	620 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	4	713 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE II	4	704 EAST 6TH STREET
MANHATTAN	LOWER EAST SIDE II	5	721 EAST 5TH STREET
MANHATTAN	LOWER EAST SIDE III	1	722 EAST 9TH STREET
MANHATTAN	LOWER EAST SIDE III	2	373 EAST 8TH STREET
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	1	89 AVENUE C
MANHATTAN	LOWER EAST SIDE REHAB (GROUP 5)	2	99 AVENUE C
BROOKLYN	MARLBORO	1	29 AVENUE W
BROOKLYN	MARLBORO	2	30 AVENUE V
BROOKLYN	MARLBORO	3	2250 WEST 11TH STREET
BROOKLYN	MARLBORO	4	18 AVENUE V
BROOKLYN	MARLBORO	5	2227 STILLWELL AVENUE
BROOKLYN	MARLBORO	6	2249 STILLWELL AVENUE
BROOKLYN	MARLBORO	7	2271 STILLWELL AVENUE
BROOKLYN	MARLBORO	8	17 AVENUE W
BROOKLYN	MARLBORO	9	61 AVENUE W
BROOKLYN	MARLBORO	10	63 AVENUE W
BROOKLYN	MARLBORO	11	2220 WEST 11TH STREET
BROOKLYN	MARLBORO	12	2770 86TH STREET
BROOKLYN	MARLBORO	13	2257 WEST 11TH STREET
BROOKLYN	MARLBORO	14	2790 86TH STREET
BROOKLYN	MARLBORO	15	2800 86TH STREET
BROOKLYN	MARLBORO	16	2780 86TH STREET
BROOKLYN	MARLBORO	17	2295 WEST 11TH STREET
BROOKLYN	MARLBORO	18	2292 WEST 8TH STREET
BROOKLYN	MARLBORO	19	2294 WEST 8TH STREET

BROOKLYN	MARLBORO	20	2304 WEST 8TH STREET
BROOKLYN	MARLBORO	21	2331 WEST 11TH STREET
BROOKLYN	MARLBORO	22	2328 WEST 8TH STREET
BROOKLYN	MARLBORO	23	2326 WEST 8TH STREET
BROOKLYN	MARLBORO	24	2336 WEST 8TH STREET
BROOKLYN	MARLBORO	25	2352 WEST 8TH STREET
BROOKLYN	MARLBORO	26	127 AVENUE X
BROOKLYN	MARLBORO	27	105 AVENUE X
BROOKLYN	MARLBORO	28	2369 WEST 11TH STREET
MANHATTAN	METRO NORTH PLAZA	1	307 EAST 101ST STREET
MANHATTAN	METRO NORTH PLAZA	2	310 EAST 102ND STREET
MANHATTAN	METRO NORTH PLAZA	3	345 EAST 101ST STREET
STATEN ISLAND	NEW LANE AREA	1	70 NEW LANE
BROOKLYN	NOSTRAND	1	2241 BATCHELDER STREET
BROOKLYN	NOSTRAND	2	2231 BATCHELDER STREET
BROOKLYN	NOSTRAND	3	3022 AVENUE V
BROOKLYN	NOSTRAND	4	3042 AVENUE V
BROOKLYN	NOSTRAND	5	3062 AVENUE V
BROOKLYN	NOSTRAND	6	2242 BRAGG STREET
BROOKLYN	NOSTRAND	7	3041 AVENUE W
BROOKLYN	NOSTRAND	8	3019 AVENUE W
BROOKLYN	NOSTRAND	9	3012 AVENUE W
BROOKLYN	NOSTRAND	10	3040 AVENUE W
BROOKLYN	NOSTRAND	11	2324 BRAGG STREET
BROOKLYN	NOSTRAND	12	2356 BRAGG STREET
BROOKLYN	NOSTRAND	13	3043 AVENUE X
BROOKLYN	NOSTRAND	14	3021 AVENUE X
BROOKLYN	NOSTRAND	15	3003 AVENUE X
BROOKLYN	NOSTRAND	16	2323 BATCHELDER STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	1	54-81 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	2	54-75 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	3	54-49 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	4	54-41 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	5	54-15 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	6	54-09 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	7	51-49 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	8	51-45 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	9	51-15 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	10	51-11 ALMEDA AVENUE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	11	409 BEACH 51ST STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	12	51-24 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	13	51-32 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	14	410 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	15	411 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	16	54-22 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	17	54-30 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	18	56-10 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	19	56-16 BEACH CHANNEL DRIVE

QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	20	414 BEACH 58TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	21	441 BEACH 51ST STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	22	440 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	23	439 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (BAYSIDE)	24	434 BEACH 58TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	1	306 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	2	342 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	3	354 BEACH 56TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	4	54-15 BEACH CHANNEL DRIVE
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	5	353 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	6	335 BEACH 54TH STREET
QUEENS	OCEAN BAY APARTMENTS (OCEANSIDE)	7	309 BEACH 54TH STREET
BROOKLYN	O'DWYER GARDENS	1	2975 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	2	3309 SURF AVENUE
BROOKLYN	O'DWYER GARDENS	3	2950 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	4	2940 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	5	2935 WEST 33RD STREET
BROOKLYN	O'DWYER GARDENS	6	2951 WEST 33RD STREET
MANHATTAN	POLO GROUNDS TOWERS	1	2931 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	2	2971 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	3	2949 F DOUGLASS BOULEVARD
MANHATTAN	POLO GROUNDS TOWERS	4	2991 F DOUGLASS BOULEVARD
MANHATTAN	RANGEL	1	159-14 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	2	159-20 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	3	159-26 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	4	159-38 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	5	159-48 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	6	159-64 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	7	159-70 HARLEM RIVER DRIVE
MANHATTAN	RANGEL	8	159-30 HARLEM RIVER DRIVE
QUEENS	REDFERN	1	14-60 BEACH CHANNEL DRIVE
QUEENS	REDFERN	2	14-68 BEACH CHANNEL DRIVE
QUEENS	REDFERN	3	14-74 BEACH CHANNEL DRIVE
QUEENS	REDFERN	4	14-78 BEACH CHANNEL DRIVE
QUEENS	REDFERN	5	15-30 HASSOCK STREET
QUEENS	REDFERN	6	12-70 REDFERN AVENUE
QUEENS	REDFERN	7	12-50 REDFERN AVENUE
QUEENS	REDFERN	8	13-02 REDFERN AVENUE
QUEENS	REDFERN	9	14-20 REDFERN AVENUE
MANHATTAN	RIIS	1	152 AVENUE D
MANHATTAN	RIIS	2	170 AVENUE D
MANHATTAN	RIIS	3	178 AVENUE D
MANHATTAN	RIIS	4	1223 FDR DRIVE
MANHATTAN	RIIS	5	1141 FDR DRIVE
MANHATTAN	RIIS	6	1115 FDR DRIVE
MANHATTAN	RIIS	7	1023 FDR DRIVE
MANHATTAN	RIIS	8	465 EAST 10TH STREET
MANHATTAN	RIIS	9	134 AVENUE D

MANHATTAN	RIIS	10	118 AVENUE D
MANHATTAN	RIIS	11	466 EAST 10TH STREET
MANHATTAN	RIIS	12	919 FDR DRIVE
MANHATTAN	RIIS	13	819 FDR DRIVE
MANHATTAN	RIIS II	14	765 FDR DRIVE
MANHATTAN	RIIS II	15	749 FDR DRIVE
MANHATTAN	RIIS II	16	903 EAST 6TH STREET
MANHATTAN	RIIS II	17	807 EAST 6TH STREET
MANHATTAN	RIIS II	18	90 AVENUE D
MANHATTAN	RIIS II	19	108 AVENUE D
BROOKLYN	SURFSIDE GARDENS	1	2960 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	2	2950 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	3	2940 WEST 31ST STREET
BROOKLYN	SURFSIDE GARDENS	4	2839 WEST 33RD STREET
BROOKLYN	SURFSIDE GARDENS	5	2820 WEST 32ND STREET
MANHATTAN	TWO BRIDGES URA (SITE 7)	1	286 SOUTH STREET
MANHATTAN	WAGNER	1	90 PALADINO AVENUE
MANHATTAN	WAGNER	2	80 PALADINO AVENUE
MANHATTAN	WAGNER	3	505 EAST 120TH STREET
MANHATTAN	WAGNER	4	445 EAST 120TH STREET
MANHATTAN	WAGNER	5	70 PALADINO AVENUE
MANHATTAN	WAGNER	6	60 PALADINO AVENUE
MANHATTAN	WAGNER	7	50 PALADINO AVENUE
MANHATTAN	WAGNER	8	2370 1ST AVENUE
MANHATTAN	WAGNER	9	2360 1ST AVENUE
MANHATTAN	WAGNER	10	40 PALADINO AVENUE
MANHATTAN	WAGNER	11	30 PALADINO AVENUE
MANHATTAN	WAGNER	12	20 PALADINO AVENUE
MANHATTAN	WAGNER	13	10 PALADINO AVENUE
MANHATTAN	WAGNER	14	2369 1ST AVENUE
MANHATTAN	WAGNER	15	2375 1ST AVENUE
MANHATTAN	WAGNER	16	2370 2ND AVENUE
MANHATTAN	WAGNER	17	2385 1ST AVENUE
MANHATTAN	WAGNER	18	2395 1ST AVENUE
MANHATTAN	WAGNER	19	2390 2ND AVENUE
MANHATTAN	WAGNER	20	2405 1ST AVENUE
MANHATTAN	WAGNER	21	350 EAST 124TH STREET
MANHATTAN	WAGNER	22	2400 2ND AVENUE
MANHATTAN	WALD	1	10 AVENUE D
MANHATTAN	WALD	2	20 AVENUE D
MANHATTAN	WALD	3	30 AVENUE D
MANHATTAN	WALD	4	50 AVENUE D
MANHATTAN	WALD	5	60 AVENUE D
MANHATTAN	WALD	6	40 AVENUE D
MANHATTAN	WALD	7	890 EAST 6TH STREET
MANHATTAN	WALD	8	930 EAST 4TH WALK
MANHATTAN	WALD	9	711 FDR DRIVE
MANHATTAN	WALD	10	920 EAST 6TH STREET

MANHATTAN	WALD	11	484 EAST HOUSTON STREET
MANHATTAN	WALD	12	950 EAST 4TH WALK
MANHATTAN	WALD	13	500 EAST HOUSTON STREET
MANHATTAN	WALD	14	691 FDR DRIVE
MANHATTAN	WALD	15	709 FDR DRIVE
MANHATTAN	WALD	16	725 FDR DRIVE
MANHATTAN	WASHINGTON	1	1761 3RD AVENUE
MANHATTAN	WASHINGTON	2	219 EAST 97TH STREET
MANHATTAN	WASHINGTON	3	1895 2ND AVENUE
MANHATTAN	WASHINGTON	4	1905 2ND AVENUE
MANHATTAN	WASHINGTON	5	225 EAST 99TH STREET
MANHATTAN	WASHINGTON	6	1955 2ND AVENUE
MANHATTAN	WASHINGTON	7	1809 3RD AVENUE
MANHATTAN	WASHINGTON	8	210 EAST 102ND STREET
MANHATTAN	WASHINGTON	9	220 EAST 102ND STREET
MANHATTAN	WASHINGTON	10	230 EAST 102ND STREET
MANHATTAN	WASHINGTON	11	215 EAST 102ND STREET
MANHATTAN	WASHINGTON	12	1851 3RD AVENUE
MANHATTAN	WASHINGTON	13	1875 3RD AVENUE
MANHATTAN	WASHINGTON	14	218 EAST 104TH STREET
MANHATTAN	WHITE	1	2029 2ND AVENUE
MANHATTAN	WILSON	1	405 EAST 105TH STREET
MANHATTAN	WILSON	2	425 EAST 105TH STREET
MANHATTAN	WILSON	3	435 EAST 105TH STREET

**From:** JESSICA FAIN  
**To:** Berger, Sharon (Recovery)  
**Cc:** Blanchfield, Patrick (HPD); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB); james.scanlon@nycha.nyc.gov; raymond.ribeiro@nycha.nyc.gov; Vovaris, Jill; Castaneda, Catherine; Donnelly, Kevin (Recovery); MICHAEL MARRELLA  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR  
**Date:** Tuesday, May 28, 2013 4:59:36 PM  
**Attachments:** image001.png

---

Ms. Berger,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

CDBG-DR Public Housing Rehabilitation and Resilience: Using funding through the Community Development Block Grant Disaster Recovery (CDBG-DR), through the Public Housing Rehabilitation and Resilience program the City will allocate \$108 Million to design and construct improvements to public housing directly impacted by Hurricane Sandy.

Based on the information submitted, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby recommends that this action is found consistent with the WRP policies.

This consistency determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP # 13-056. If there are any questions regarding this review, please contact me.

Sincerely,

JESSICA FAIN  
PLANNER, WATERFRONT AND OPEN SPACE DIVISION

NYC DEPT OF CITY PLANNING  
22 READE STREET, 6th FLOOR • NEW YORK, NY 10007  
t 212.720.3525 • f 212.720.3490  
[JFAIN@PLANNING.NYC.GOV](mailto:JFAIN@PLANNING.NYC.GOV)  
[www.nyc.gov/planning](http://www.nyc.gov/planning)

 Follow us on Twitter [@NYCPlanning](https://twitter.com/NYCPlanning)

---

**From:** Berger, Sharon (Recovery) [mailto:sberger@recovery.nyc.gov]  
**Sent:** Thursday, May 23, 2013 4:14 PM  
**To:** MICHAEL MARRELLA; JESSICA FAIN  
**Cc:** Blanchfield, Patrick (HPD); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB);

james.scanlon@nycha.nyc.gov; raymond.ribeiro@nycha.nyc.gov; Vovaris, Jill;  
catherine.castaneda@cbi.com; Donnelly, Kevin (Recovery)  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,

Attached please find the revised WRP for NYCHA. If you have any questions please let me know.

Best regards,

Sharon I. Berger Esq.  
Director of Technical Services  
Housing Recovery Office  
250 Broadway - 24<sup>th</sup> Floor, NY, NY  
Office 212-615-8031  
Cell 347-255-6290

---

**From:** Berger, Sharon (Recovery)  
**Sent:** Wednesday, May 22, 2013 7:11 PM  
**To:** 'MMARREL@PLANNING.NYC.GOV'; 'JFAIN@planning.nyc.gov'  
**Cc:** [blanchfp@hpd.nyc.gov](mailto:blanchfp@hpd.nyc.gov); 'Gearrity, John (HPD)'; Leonard, John (OMB); Johnson, Calvin (OMB);  
[james.scanlon@nycha.nyc.gov](mailto:james.scanlon@nycha.nyc.gov); [raymond.ribeiro@nycha.nyc.gov](mailto:raymond.ribeiro@nycha.nyc.gov); Vovaris, Jill;  
[catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com); Donnelly, Kevin (Recovery)  
**Subject:** RE: NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,

By way of this email, I am rescinding the notice sent this afternoon. I will resend the notice shortly.  
I apologize for the inconvenience.

Regards,

Sharon Berger

---

**From:** Berger, Sharon (Recovery)  
**Sent:** Wednesday, May 22, 2013 5:27 PM  
**To:** 'MMARREL@PLANNING.NYC.GOV'; 'JFAIN@planning.nyc.gov'  
**Cc:** [blanchfp@hpd.nyc.gov](mailto:blanchfp@hpd.nyc.gov); Gearrity, John (HPD); Leonard, John (OMB); Johnson, Calvin (OMB);  
[james.scanlon@nycha.nyc.gov](mailto:james.scanlon@nycha.nyc.gov); [raymond.ribeiro@nycha.nyc.gov](mailto:raymond.ribeiro@nycha.nyc.gov); Vovaris, Jill;  
[catherine.castaneda@cbi.com](mailto:catherine.castaneda@cbi.com); Donnelly, Kevin (Recovery)  
**Subject:** NYCHA WRP Assessment - CDBG-DR

Mr. Marrel and Ms. Fain,

Please find the WRP consistency assessments for Public Housing Resiliency and Rehabilitation - NYCHA's properties. This is for a portion of the City's Community Development Block Grant-Disaster Recovery (CDBG-DR) funding for Sandy-impacted housing. In addition to CPC/DCP's concurrence with our consistency assessments, we also need approval by NYSDOS. Our

understanding is that they won't issue their determination until the City issues its own, so your prompt response would be greatly appreciated. Please let me know if you need anything or have questions.

Best regards,

Sharon I. Berger Esq.  
Director of Technical Services  
Housing Recovery Office  
250 Broadway - 24<sup>th</sup> Floor, NY, NY  
Office 212-615-8031  
Cell 347-255-6290



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Long Island Field Office
340 Smith Road
Shirley, NY 11967
Phone: (631) 286-0485 Fax: (631) 286-4003
http://www.fws.gov/northeast/nyfo

To: Mr. Calvin Johnson

Date: June 11, 2013

USFWS File No:

Regarding your: [X] letter [ ] FAX [ ] E-mail dated: June 10, 2013

For project: NYC Hurricane Sandy Disaster Recovery Community Development Block Grant Disaster Recovery

Located: New York City

In Town/County: Queens, New York, Kings, Bronx and Richmond Counties

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the U.S. Fish and Wildlife Service:

- [X] Acknowledges receipt of your "no effect" determination. No further ESA coordination or consultation is required.
[ ] Acknowledges receipt of your determination. Please provide copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.
[ ] Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (http://www.fws.gov/northeast/nyfo/es/section7.htm) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or additional information on listed or proposed species or critical habitat become available, this determination may be reconsidered.

Pursuant to the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.),

- [ ] Requests additional time for review. [ ] Is taking no action pursuant to FWCA due to lack of funding.
[ ] Is providing FWCA comments (see attached). [X] Has no objection pursuant to the FWCA.
[ ] Will provide FWCA comments separately. [ ] Is taking no action pursuant to the FWCA at this time but would like to be kept informed of project developments.

USFWS Contact(s): [Signature] Date 6/11/13
Supervisor: \_\_\_\_\_ Date \_\_\_\_\_



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The City of New York  
**Office of Management and Budget**  
255 Greenwich Street • New York, New York 10007-2146

May 21, 2013  
Steve Sinkevich  
Senior Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
Long Island Field Office (Region 5)  
340 Smith Road  
Shirley, N.Y. 11967

RE: Hurricane Sandy Disaster Recovery  
Community Development Block Grant – Disaster Recovery  
NEPA Consultation: Tier I Environmental Reviews

Dear Mr. Sinkevich:

The National Environmental Policy Act (NEPA) requires federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant (CDBG)-Disaster Recovery (DR) programs funded by HUD to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and Executive Orders (EO). NYC is conducting a two-tiered ER of several Programs. The purpose of the Tier I ER is to facilitate and streamline review of environmental factors and regulations on a broad or programmatic-wide level. The City is requesting comments from the **US Fish and Wildlife Service** (USFWS) as well as other federal, state, and local agencies. Agency comments or guidance will inform both tiers of the ER process and be retained for the project's Environmental Review Record (ERR).

The densely populated coastal City of New York was declared a disaster area prior to the October 29, 2012 landfall of Hurricane Sandy. President Obama subsequently issued a major disaster declaration on October 30, 2012 for affected areas in the State of New York making disaster assistance available to those in the heaviest hit areas affected by the storm. Following damage assessments performed by the Federal Emergency Management Agency (FEMA) President Obama also signed into law the "Disaster Relief Appropriations Act, of January 29, 2013" (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic

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<sup>1</sup> <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Approximately 89 square miles of the City's land area (321 square miles) was inundated by Hurricane Sandy's floodwaters. Nearly 10% (846,056 persons) of the City's total population resided in damaged neighborhoods situated in or near the coastal zone of the five boroughs. According to NYC analysis of damage to its housing stock in these neighborhoods, over 63,000 residential units were damaged or destroyed along with devastating impacts to other sectors.

The City of New York - Department of Housing Preservation & Development (HPD) and the New York City Housing Authority (NYCHA) intend to undertake activities funded through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program. For the CDBG-DR funding, the NYC Office of Management and Budget (OMB) has assumed the role of Responsible Entity under 24 CFR 58 Subpart B. As described in more detail below, CDBG-DR would be used to help victims of Sandy achieve permanent, sustainable housing solutions that allow them to remain in New York City and return to their neighborhoods, where possible.

The City's initial allocation of CDBG-DR funds is \$1,772,820,000. Of this total, the City has allocated \$648 million in funding for assistance to address the various unmet housing needs it has identified thus far. Of the initial \$648 million, \$306 million would provide for the reconstruction and/or rehabilitation of homes with 1 – 4 units that are either owner-occupied or occupied by a year-round tenant, \$225 million would be provided for the rehabilitation of multifamily buildings (5+ units) and 3-4 unit properties that are not owner-occupied, and \$108 million would be provided to NYCHA to design and construct improvements to public housing developments.

HPD, the New York City Housing Recovery Office (HRO), and NYCHA are in the process of preparing Tier 1 Programmatic Environmental Assessments to consider the potential effects of the activities which may be funded under each program, even though specific projects have not yet been determined. It is anticipated that the projects would vary in terms of construction type, scope of work and geography, but all would be subject to related statutes referenced in 24 CFR Part 58, including the Endangered Species Act (ESA).

According to the most current species list for New York State available from the U.S. Fish and Wildlife Service (FWS) website (<http://www.fws.gov/northeast/nyfo/es/CoListCurrent.pdf>), except for occasional transient individuals, no Federally-listed or proposed endangered or threatened species, or candidate species under FWS jurisdiction are known to exist in the counties of New York (Borough of Manhattan), Kings (Borough of Brooklyn), Bronx (Borough of the Bronx), and Richmond (Borough of Staten Island).

However, according to the current list, the piping plover, roseate tern, and seabeach amaranth are known/likely to occur in Queens County. The seabeach amaranth is common to only the beaches along coastal areas of the Rockaway Peninsula. However, no CDBG-DR funded activities would occur on beaches. Roseate terns historically nested on the peninsula but there are no recent records of their breeding since 1998. Based upon this information, OMB has determined that CDBG-DR funded activities in the Rockaway Peninsula area of Queens County would have No Effect on the seabeach amaranth or roseate tern. Furthermore, CDBG-DR funded activities in Manhattan, Bronx, Brooklyn, Staten Island and areas of Queens other than the Rockaway Peninsula would have No Effect on any federally identified endangered or threatened species within the USFWS's jurisdiction.

CDBG-DR funded activities in the Rockaway neighborhoods of Breezy Point, Roxbury, Neponsit, Belle Harbor, Rockaway Park, Seaside, Broad Channel, Arverne, Somerville, Edgemere, and Far Rockaway in the borough of Queens have the potential to affect, but are not likely to adversely affect, the piping plover. In consultation with USFWS, the piping plover habitat on the Rockaway Peninsula is generally located along the beaches between Beach 71st Street to the west and Beach 20th Street to the east. To address potential affects to this species, the City proposes to restrict all CDBG-DR funded exterior construction activities on properties that fall within 200 meters of the Rockaway boardwalk (the northern limit of the beach) between Beach 71<sup>st</sup> Street and Beach 20<sup>th</sup> Street for the duration of the nesting season (April 1 to September 1).

OMB is requesting concurrence from USFWS regarding these activities as they relate to compliance with the ESA. Thank you for your assistance with this matter. Feel free to contact me at 212-788-6024 if you have any questions.

Sincerely,



Calvin Johnson  
Director, Community Development Block Grant – Disaster Recovery  
NYC Office of Management and Budget  
255 Greenwich Street,  
New York, NY 10007  
johnsonc@omb.nyc.gov

cc: Preparer: Kevin Donnelly, Department of Environmental Protection, New York City;  
kdonnelly@recovery.nyc.gov

## Vovaris, Jill

---

**From:** Scarano, Michael NAN02 [Michael.Scarano@usace.army.mil]  
**Sent:** Wednesday, June 19, 2013 10:50 AM  
**To:** Vovaris, Jill  
**Cc:** steve.ryba@usace.army.mil; jody.mcdonald@usace.army.mil; Castaneda, Catherine  
**Subject:** RE: NYC Housing - CDBG-DR Tier I Environmental Review Agency Consultations (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Jill,

Nice chatting with you.

Here is a link to our program:

<http://www.nan.usace.army.mil/Missions/Regulatory.aspx> (New York area-centric)

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> (National-centric)

A quick perusal will give you a good feel for what we regulate and how; permit applications, etc.

As I mentioned on the phone call, if the project in question does not involve dredging/ filling/ discharging into regulated wetlands or Waters of the United States, the Department of the Army has no regulatory jurisdiction over the work and would have no adverse comments.

Best Regards,

## Mike

MICHAEL SCARANO, P.E.  
Deputy Chief of Regulatory



US Army Corps of Engineers  
New York District

BUILDING STRONG.

US Army Corps of Engineers  
New York District  
Operations Division  
26 Federal Plaza, Room 1937  
New York, NY 10278-0090  
(917) 790-8520 office  
(718) 504-4281 fax

New York District Regulatory Information  
<http://www.nan.usace.army.mil/Missions/Regulatory.aspx>  
Customer Satisfaction Survey  
<http://per2.nwp.usace.army.mil/survey.html>

**From:** Vovaris, Jill [mailto:jill.vovaris@cbi.com]  
**Sent:** Wednesday, June 19, 2013 10:33 AM  
**To:** Scarano, Michael NAN02  
**Cc:** steve.ryba@usace.army.mil; jody.mcdonald@usace.army.mil; Castaneda, Catherine  
**Subject:** NYC Housing - CDBG-DR Tier I Environmental Review Agency Consultations

Hi Michael,

Thank you taking the time to discuss the proposed activities and the USACE role in these activities this morning. Your information is much appreciated.

Attached is a copy of the letter that was sent to Steve Ryba in late April requesting consultation re: project activities as well as color copies of the figures included in the letter. Please take a minute to review and provide any additional comments beyond our conversation as well as a letter indicating the Corps' position/recommendations as we move forward.

Thanks again!

Jill Vovaris (on behalf of NYC Housing Recovery Operations)



Jill Vovaris  
Project Manager/Senior Biologist  
Commercial, State, and Local  
Environmental & Infrastructure, Inc.  
Office: 412.858.3829  
Cell: 412.592.5790  
email: [jill.vovaris@cbi.com](mailto:jill.vovaris@cbi.com)

CB&I  
2790 Mosside Boulevard  
Monroeville, PA 15146  
U.S.A.  
[www.cbi.com](http://www.cbi.com)

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Classification: UNCLASSIFIED  
Caveats: NONE



April 26, 2013

USACE Eastern Permit Section - Steve Ryba  
26 Federal Plaza  
Room 1937  
New York City, New York 10278-0090

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

Dear Mr. Ryba:

The National Environmental Policy Act (NEPA) requires federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant (CDBG)-Disaster Recovery (DR) programs funded by HUD to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and Executive Orders (EO). NYC is conducting a two-tiered ER of several Programs. The purpose of the Tier I ER is to facilitate and streamline review of environmental factors and regulations on a broad or programmatic-wide level. The following provides a brief description of the **NYC Houses Program** and, as part of this Tier I ER the City is requesting comments from the **US Army Corps of Engineers-Eastern Permit Section** as well as other federal, state, and local agencies. Agency comments or guidance will inform both tiers of the ER process and be retained for the projects Environmental Review Record (ERR).

The densely populated coastal City of New York was declared a disaster area prior to the October 29, 2012 landfall of Hurricane Sandy. President Obama subsequently issued a major disaster declaration on October 30, 2012 for affected areas in the State of New York making disaster assistance available to those in the heaviest hit areas affected by the storm. Following damage assessments performed by the Federal Emergency Management Agency (FEMA) President Obama also signed into law the "Disaster Relief Appropriations Act, of January 29, 2013" (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Approximately 89 square miles of the City's land area (321 square miles) was inundated by Hurricane Sandy's floodwaters. Nearly 10% (846,056 persons) of the City's total population resided in damaged neighborhoods situated in or near the coastal zone of the five boroughs as shown in **Exhibit 1**. According to NYC analysis of damage to its housing stock in these neighborhoods, over 63,000 residential units were damaged or destroyed along with devastating impacts to other sectors.

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<sup>1</sup> <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

To specifically assist disaster recovery for the NYC housing sector, CDBG-DR funds in the amount of \$648,000,000 have been allocated by the HUD<sup>2</sup>. As indicated in the City's CDBG-DR-funded Hurricane Sandy Disaster Action Plan published on April 23, 2013, the NYC OMB will administer the CDBG-DR-required received from HUD for the recovery of Hurricane Sandy-damaged housing. Of these funds, a portion is being specifically set aside to provide assistance under this Program. Its activities are designed to address unmet housing needs of people affected by Hurricane Sandy, specifically residential property homeowners (owner occupied and year-round tenants of 1-2 single-family units) as well as owners and tenants of rental properties (owner occupied, 3-4 single-family units) to achieve permanent, sustainable housing solutions that allow them to remain in NYC and, where possible, return to their neighborhoods. CDBG-DR funds, in the amount of \$340,000,000, are targeted to assist the needs of eligible applicants who occupied these single-family houses impacted by the hurricane. The Program will offer three core recovery paths to eligible beneficiaries by providing different assistance types for owners of houses that fall into one of the following three categories of damage to housing:

- Reconstruction: Residential property that has been destroyed or is more expensive to rehabilitate than to reconstruct;
- Major Rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the Program;
- Moderate Rehabilitation: Residential property that was damaged by Hurricane Sandy, but is not destroyed and does not have substantial damage as determined by the Program.

The assistance will be provided to qualified applicants in the form of cap-restricted grants to complete these construction projects. In accordance with the Federal Register<sup>3</sup> at least 50% of the CDBG-DR funds must be used for project activities that benefit and meet the unmet housing needs of eligible low to moderate income households. All grants, loan amounts or other eligible services will be based on damage to the original dwelling, plus the funds necessary to meet applicable housing quality standards, local, state and/or federal building codes, and funds necessary for mitigation efforts to reduce the risk of damage to dwellings from future storm events. This assistance is specifically targeted to existing residential properties as described above, construction activities are anticipated to occur on original home sites, within the existing footprint of the damaged structure, and not result in increased population density.

Under CDBG-DR requirements, all demolition, rehabilitation, and reconstruction work will be completed to applicable building codes and standards, local ordinances, permitting. Zoning requirements would also typically be adhered to but exceptions may occur. In fact, due to potential concerns over certain provisions of NYC's Zoning Resolution that could have prevented, hindered or delayed disaster recovery, Mayor Bloomberg issued EO 233 on February 5, 2013<sup>4</sup>, entitled "Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards". This EO will remain in effect and therefore applicable to HRR construction activities until the NYC Department of City Planning completes the Uniform Land Use Review Process (ULURP) to update land use zoning in accordance with long-term city-wide planning goals. Once ULURP is complete, Program construction activities will adhere to the new land use zoning requirements in order to achieve environmental compliance.

For purposes of the ER, the area of the Program's potential environmental effects includes residential properties of NYC inadequately covered by homeowner insurance policies or where owners have insufficient financial resources to complete repair themselves, and where the applicants satisfy CDBG eligibility requirements. The exact number and location of hurricane-damaged home sites to be addressed by the Program is not known at this

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<sup>2</sup> For additional information regarding Hurricane Sandy housing and other recovery efforts in New York City visit <http://www.nyc.gov/html/recovery/html/housing/housing.shtml>

<sup>3</sup> Federal Register 5696-N-01: Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy, March 5, 2013.

<sup>4</sup> <http://www.nyc.gov/html/om/pdf/eco/230.pdf>

time since homeowner eligibility for housing assistance funds must be determined on a case by case basis. As described in the Tier I ER, NYC will conduct a Tier II Site-Specific ER for each proposed construction site that will assess required environmental compliance factors and HUD standards. Any environmental compliance factors and/or regulations determined through the Tier I ER to be affected by the Project or to have a potential affect on the Project will be addressed by the Tier II ER, once specific home sites are known. Site-specific environmental reviews will include desktop reviews of field inspections that document property conditions in order to determine environmental compliance requirements of the proposed construction activities.

In preparation of the Tier I ER, the City has reviewed information available from federal agencies as well as the NY Department of Environmental Conservation, the NY State Department of State, the NYC Department of City Planning and other agencies. The City has also reviewed the the Advisory Based Flood Elevation (ABFE) maps published by FEMA for portions of NYC that were impacted by Hurricane Sandy and understands that Preliminary Flood Insurance Rate Maps (P-FIRM) are currently under preparation for these same areas. For the Tier I ER, the City has established a robust geospatial database for the HRR and prepared numerous figures, including **Figures 2-1, 3-1, and 5-1** to respectfully depict the Flood Hazard Areas, Wetlands, and Coastal Zone in New York City, here attached for review and comment.

While EO 233 is in effect, the City understands that the rehabilitation and reconstruction activities in flood hazard areas may proceed despite non-compliance with certain zoning provisions, as long as the number of non-compliances does not increase, and flood protection standards are improved in these at-risk neighborhoods. While the ABFE is in effect, major and moderate rehabilitation of residential structures will be designed and executed to meet these new advisory elevations. As the P-FIRM maps are adopted by NYC, the elevation requirements for HRR projects may be adjusted. These adjustments to elevation requirements are expected to affect the costs of construction, potentially causing a proposed rehabilitation project to be more expensive than a reconstruction and thus trigger a change in the project type.

Despite the coincidence of hurricane-damaged single family houses within the NYC coastal boundary, the City does not anticipate a need for Environmental Assessments beyond what the Program completes for its ERR. The City has filed a Waterfront Revitalization Program (WRB) Consistency Assessment Form with both WRB and the NY State Department of State indicating that the Program's construction activities are being designed and executed to be consistent with NYC's 2002 WRP policies applicable to residential construction. With respect to the 10 NYC WRP policies, and the potential resource management concerns of the DEC and other Federal, State, and Local agencies, Program activities are expected to accomplish the following while serving the unmet housing needs of NYC residents in the aftermath of Hurricane Sandy:

- NYC residential properties damaged or destroyed by Hurricane Sandy will be improved by rehabilitation or reconstruction of hurricane-damaged homes and services to meet the qualified applicant's established housing need and meet the City-adopted greenbuilding standards as well as HRR resiliency goals, thus the City's tax base will thus be modestly enhanced. The owners of properties situated in the floodplain will be required to purchase and maintain flood insurance for at least five years.
- The general condition of properties will be improved by demolition and removal of hurricane-damaged secondary structures, such as piers or decking<sup>5</sup>, as well as abandoned vehicles or other storm debris and other hazards that might otherwise restrict recreational access to the waterfront and contribute to environmental degradation of coastal resources. Solid and hazardous waste removal will be managed and transported in accordance with regulatory requirements.
- Standard best management practices (BMPs) will be implemented to control stormwater runoff and soil erosion during construction activities and thus protect the quality of surface waters and dependent natural resources. Similarly, implementation of these BMPs during construction can be expected to

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<sup>5</sup> The CDBG-DR funds are strictly designated to address housing needs of disaster victims that comply with NEPA and HUD environmental standards, as well as NYC objectives for the HRR. Such structures as piers, docks, and boat ramps on hurricane-damaged waterfront will not be replaced with CDBG-DR funds.

minimize effects on air quality as well as mitigate noise impacts of construction activities in accordance with the City's 2007 Construction Noise Rules.

- Where landscaping is required for HRR projects to meet the City-adopted greenbuilding standards, vegetative plantings will be selected that are protective of shoreline characteristics and other natural features, and that have a potentially high success rate for achieving restoration of basic environmental quality and the function of coastal resources in areas damaged by Hurricane Sandy.
- Significant effects to historical or archeological features are expected to be minimal. However, as the demolition of structures may involve ground-breaking activities, archeological/cultural artifacts may be uncovered. In such cases, construction activities will be halted and site-specific consultation with State and Tribal Historic Preservation Officers to resolve this 36 CFR Section 106 compliance factor.

Given the nature of the proposed construction activities on established residential properties in the damaged residential neighborhoods of NYC's coastal zone, and the above approach to construction activities, NYC is not anticipating significant adverse effects from the Program described. As the Tier II site-specific ERs progress, NYC does expect certain cases may pose complex and unexpected circumstances where the guidance of the USACE and other agencies may be warranted to resolve certain compliance factors, and for which site-specific consultation may be undertaken as indicated above. Prior to proceeding with its construction projects, the Program anticipates that site-specific measures to mitigate potential effects on the floodplain, wetlands, threatened and endangered species, and migratory birds may be required. Site-specific measures to protect properties from various hazards may also be required. In summary, NYC finds the Program will enhance the environmental quality of Hurricane Sandy-damaged neighborhoods and help strengthen the resiliency of its coastal communities.

The City invited comment from various agencies on the Hurricane Sandy Disaster Recovery Action Plan. The City also extends an invitation for USACE to comment on this Program's Tier I ER as well as provide any guidance deemed pertinent to further assist its environmental evaluation of its proposed actions in storm-damaged coastal neighborhoods. The City also invites comments from USACE on the Program's potential effects or recommendations to consider in the two-tiered ER process, we respectfully request comments be provided within 45 days of the above date or we may assume the USACE has no NEPA or otherwise related issues with this described project. Please do not hesitate to contact us if you have any questions.

Sincerely,



Kevin F. Donnelly, P.E.

Program Manager

Mayor's Office, Housing Recovery Operations

250 Broadway

New York, NY 10007

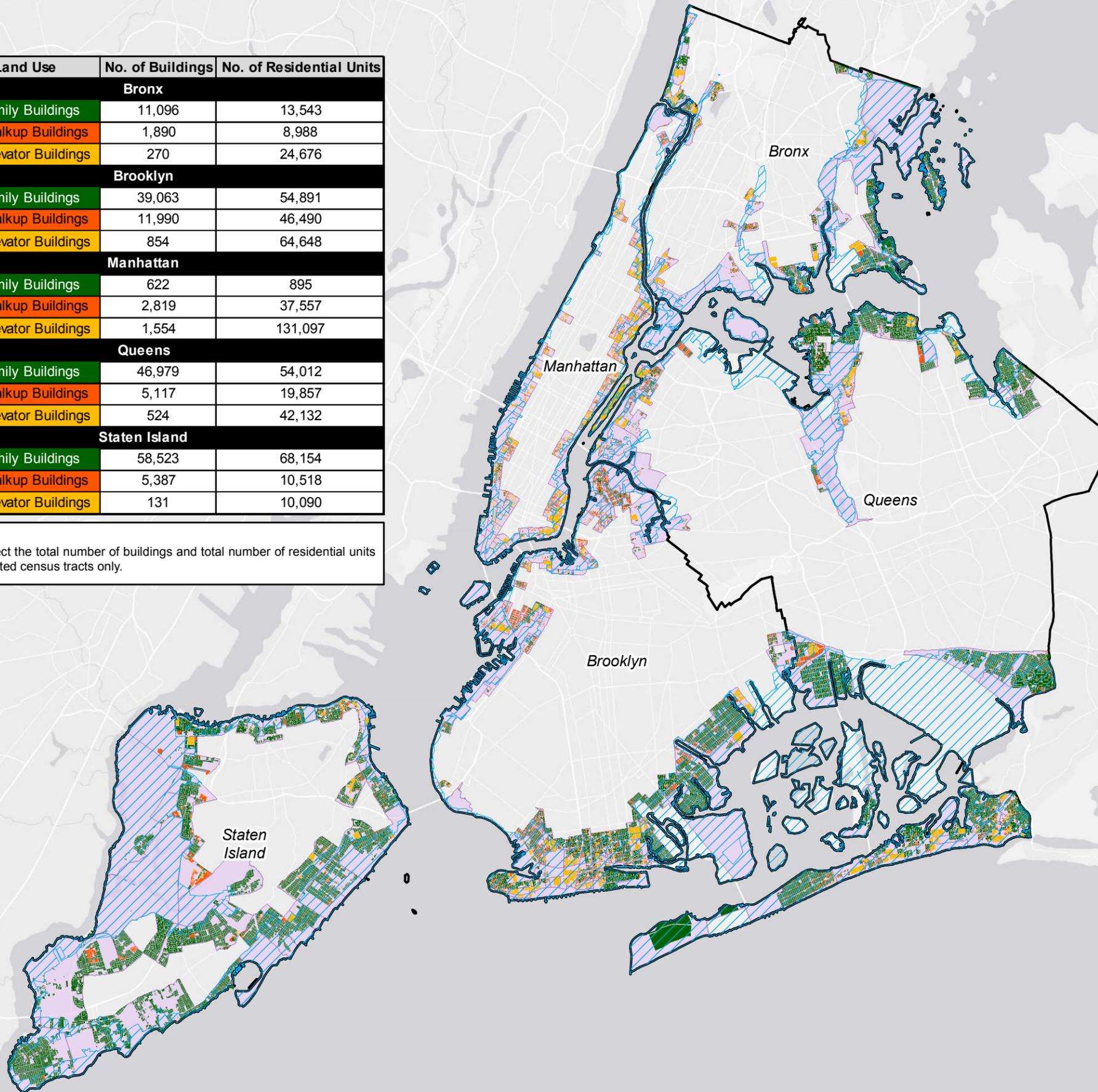
[KDonnelly@recovery.nyc.gov](mailto:KDonnelly@recovery.nyc.gov)

Point of Contact: John Gearrity, Assistant Commissioner, Building and Land Development Services, NYC-Housing Preservation Development, 100 Gold Street, Rm 70-1, New York City, NY 10038; email: [gearritj@hpd.nyc.gov](mailto:gearritj@hpd.nyc.gov)

Attachments: Exhibit 1: New York City Neighborhoods Damaged by Hurricane Sandy  
Figure 2-1: Flood Hazard Areas of New York City  
Figure 3-1: Wetlands in New York City  
Figure 5-1: Coastal Zone Management in New York City

MapPLUTO - Land Use	No. of Buildings	No. of Residential Units
<b>Bronx</b>		
One & Two Family Buildings	11,096	13,543
MultiFamily Walkup Buildings	1,890	8,988
MultiFamily Elevator Buildings	270	24,676
<b>Brooklyn</b>		
One & Two Family Buildings	39,063	54,891
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Note:  
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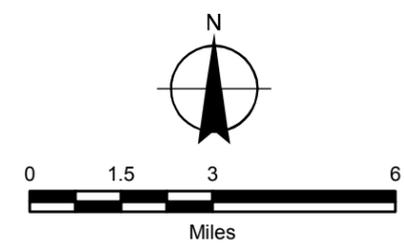


**Legend**

- New York City Boroughs  
NYC Dept. of City Planning (March 2013)
- Census Tracts  
NYC Dept. of City Planning (March 2013)
- Sandy Impact Zone (89.30 SqMi)  
NYC Office of Emergency Management

**MapPLUTO - Land Use**

- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings  
NYC Dept. of City Planning (November 2012)



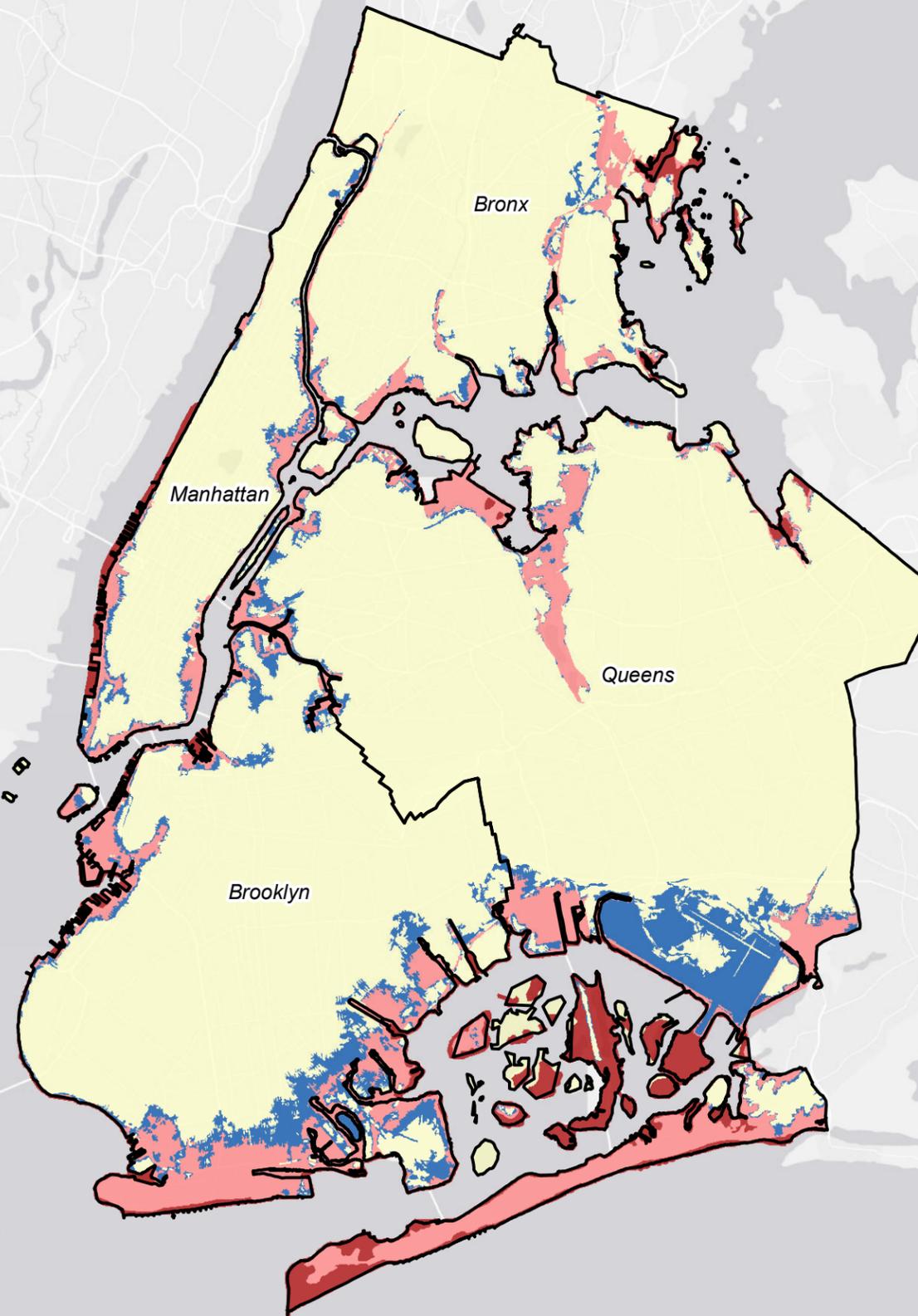
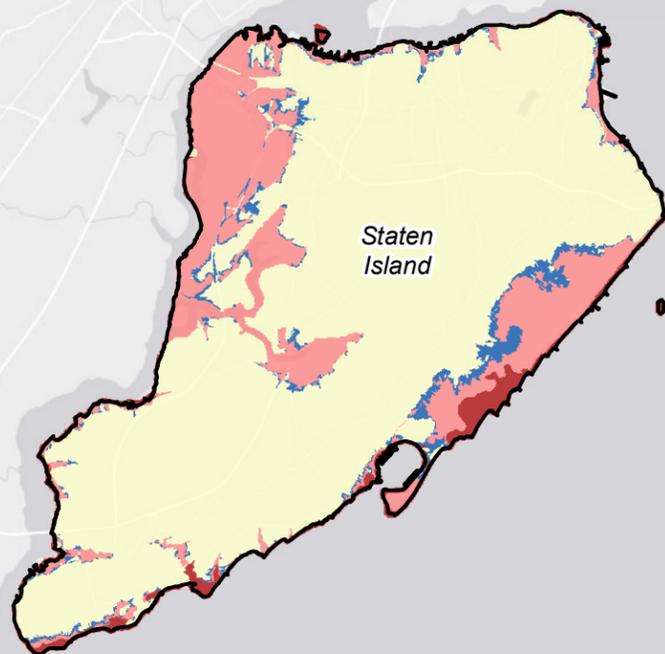
Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

<b>EXHIBIT</b> <b>1</b>	<b>NEW YORK CITY</b> <b>NEIGHBORHOODS DAMAGED</b> <b>BY HURRICANE SANDY</b>
----------------------------	---

**NYC**

Flood Zone	Area SqMi	Percentage
<b>Bronx</b>		
A	3.58	8.2%
V	2.08	4.8%
Shaded X	1.07	2.4%
X	36.95	84.6%
<b>Brooklyn</b>		
A	10.90	14.7%
V	4.30	5.8%
Shaded X	6.57	8.9%
X	52.27	70.6%
<b>Manhattan</b>		
A	2.95	12.1%
V	1.70	7.0%
Shaded X	1.40	5.7%
X	18.26	75.1%
<b>Queens</b>		
A	12.93	11.4%
V	8.86	7.8%
Shaded X	7.20	6.4%
X	84.22	74.4%
<b>Staten Island</b>		
A	10.66	17.8%
V	3.04	5.1%
Shaded X	1.97	3.3%
X	44.29	73.9%
<b>New York City</b>		
A	41.02	13.0%
V	19.98	6.3%
Shaded X	18.21	5.8%
X	235.98	74.9%



**Legend**

New York City Boroughs  
NYC Dept. of City Planning (March 2013)

**FEMA Advisory Flood Zones**

- 100 Year Floodplain - Zone A
- 100 Year Floodplain - Zone V
- 500 Year Floodplain - Shaded Zone X  
Federal Emergency Management Agency (April 2013)
- Outside of Floodplain - Zone X

**Note:**  
Zone designations include: Zone V, which designates areas in the coastal high hazard zone, subject to high velocity wave action with breaking waves over 3 ft in height based on the 1% annual chance flood elevation. Zone A, which designates areas subject to coastal flood effects based on the 1% annual chance flood elevation. Shaded Zone X, which designates areas subject to coastal flood effects associated with 0.2% annual chance flood event.

Zone X was calculated by taking the difference between the NYC Borough area and the FEMA Advisory Flood Zones.



Reference:  
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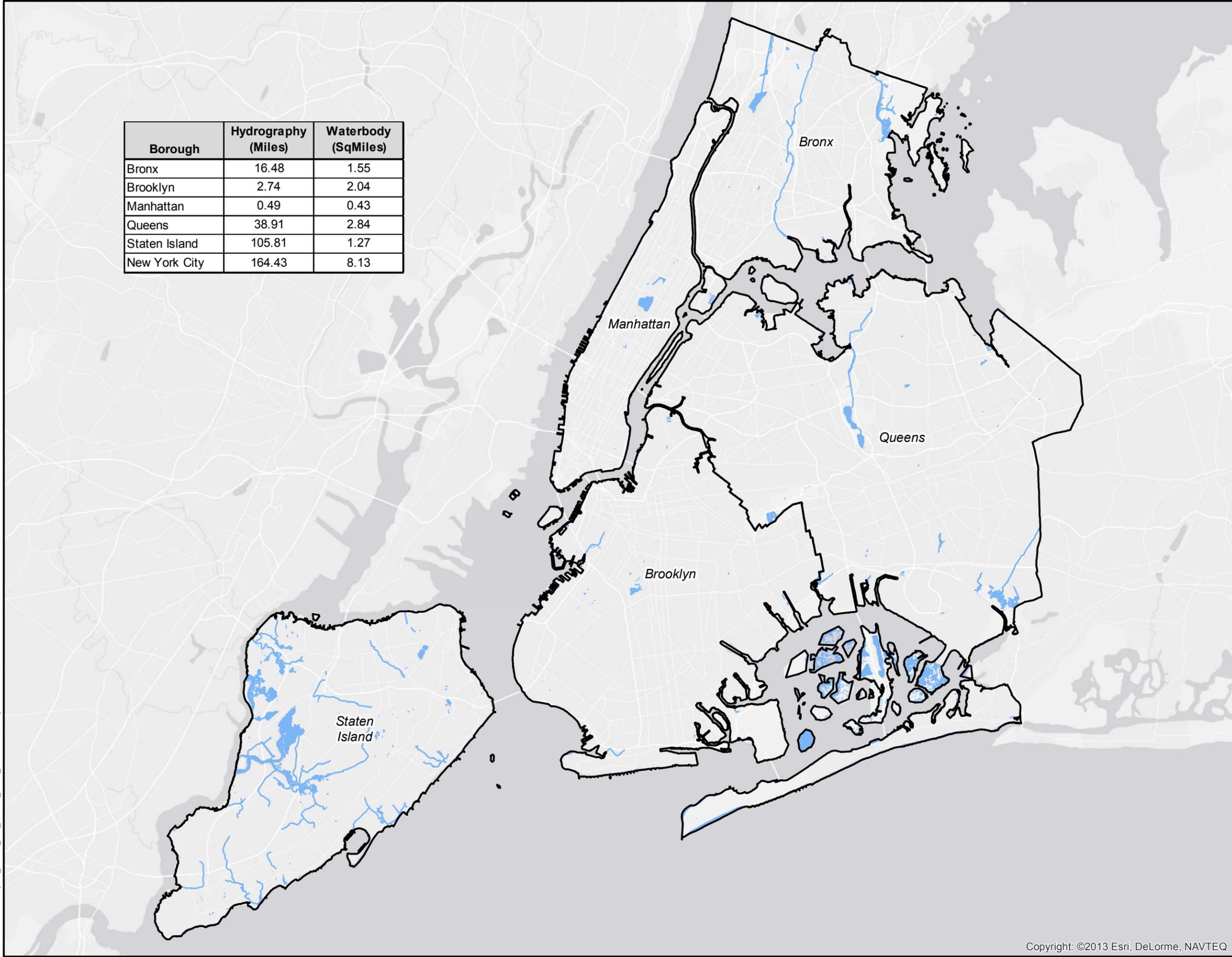
TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**2-1**

**FLOOD HAZARD AREAS  
IN NEW YORK CITY**

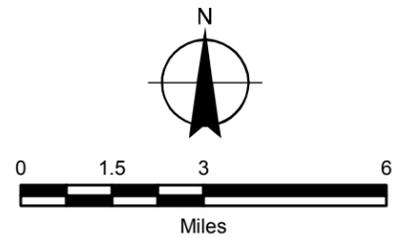


Borough	Hydrography (Miles)	Waterbody (SqMiles)
Bronx	16.48	1.55
Brooklyn	2.74	2.04
Manhattan	0.49	0.43
Queens	38.91	2.84
Staten Island	105.81	1.27
New York City	164.43	8.13



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Hydrography  
*US Geological Society (Feb 2012)*
-  Waterbody  
*US Geological Society (Feb 2012)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

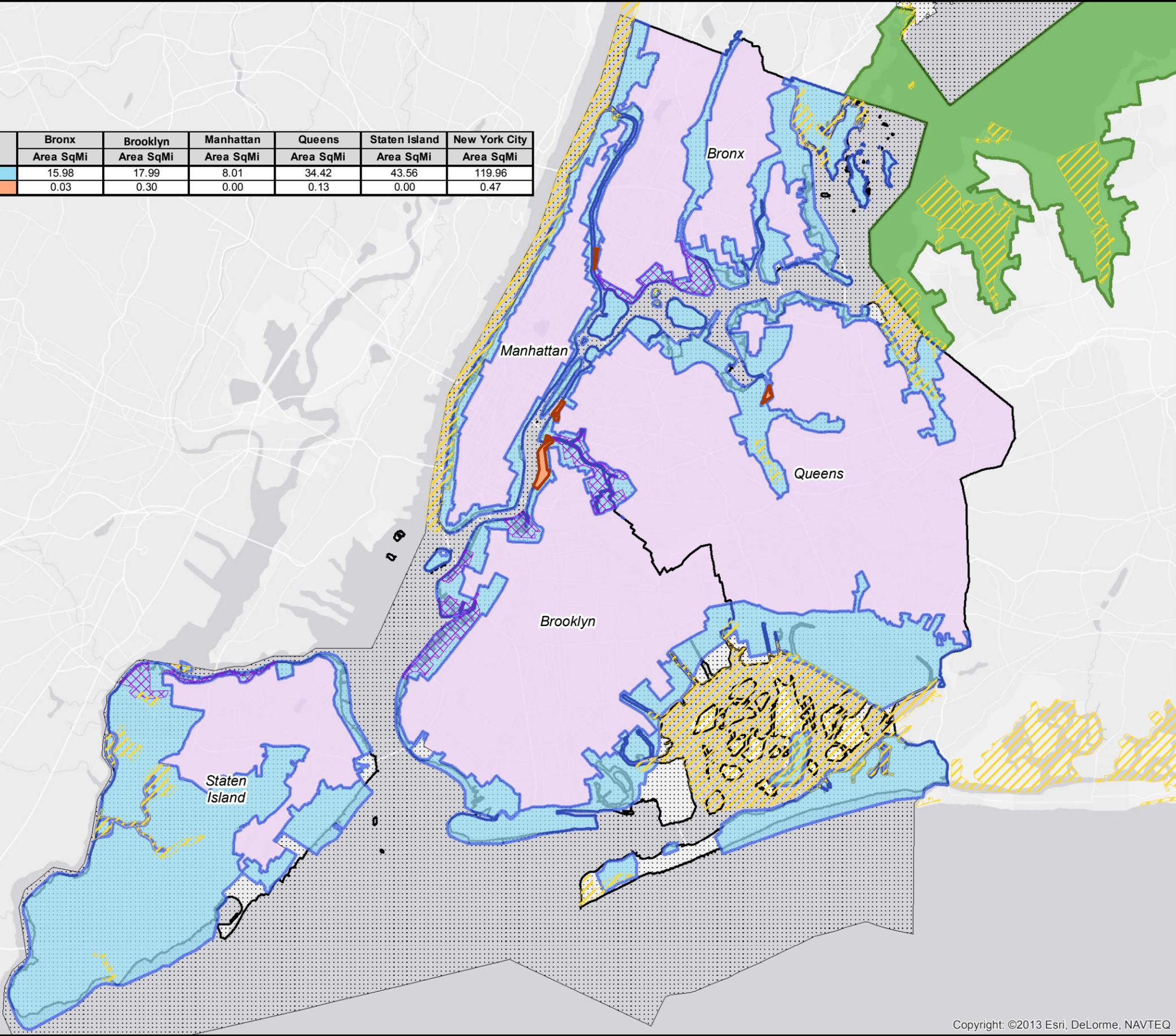
TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE  
NUMBER  
**3-1**

**SURFACE WATER RESOURCES  
IN NEW YORK CITY**



Coastal Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
	Area SqMi	Area SqMi				
Coastal Zone Boundary	15.98	17.99	8.01	34.42	43.56	119.96
Waterfront Access Plan	0.03	0.30	0.00	0.13	0.00	0.47

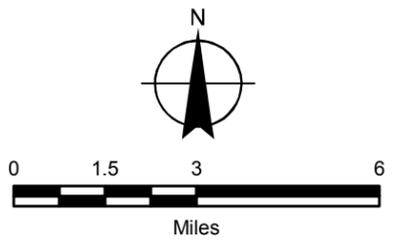


**Legend**

-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
-  Coastal Zone Boundary  
NYC Dept. of City Planning,  
Waterfront and Open Space Division (Sep 2011)
-  Waterfront Access Plan  
NYC Dept. of City Planning, Planning Coordination,  
Waterfront and Open Space Division (Sep 2011)
-  Significant Maritime and Industrial Areas  
NYC Dept. of City Planning,  
Waterfront and Open Space Division (Mar 2012)
-  Significant Coastal Fish and Wildlife Habitats  
NYS Dept. of State,  
Division of Coastal Resources (Jan 2013)
-  Long Island Sound CMP  
NYS Dept. of State,  
Division of Coastal Resources (Jan 1999)
-  Local Waterfront Revitalization Areas  
NYS Dept. of State,  
Office of Communities and Waterfronts (April 2013)
-  Local Waterfront Revitalization Program Communities  
NYS Dept. of State,  
Office of Communities and Waterfronts (April 2013)

Note:  
The Coastal Zone Boundary represented in this figure is being revised by the Waterfront Revitalization Program of the NYC Department of City Planning and is expected to take effect in 2014.

The Coastal Zone Boundary encompasses the following coastal features: Significant Maritime and Industrial Areas, Significant Coastal Fish and Wildlife Habitats, Special Natural Waterfront Areas, Staten Island Bluebelts, Tidal and Freshwater Wetlands, Coastal Floodplains and Flood Hazard Areas, Erosion Hazard Areas, Coastal Barrier Resources Act Areas, Steep Slopes, Parks and Beaches, Visual Access and Views of Coastal Waters and the Harbor, Historic, Archaeological, and Cultural Sites Closely Associated with the Coast, and Special Zoning Districts.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**5-1** COASTAL ZONE MANAGEMENT  
IN NEW YORK CITY



**From:** Venetia Lannon [valannon@gw.dec.state.ny.us]  
**Sent:** Friday, June 21, 2013 5:04 PM  
**To:** Vovaris, Jill  
**Subject:** Fwd: Re: NYC Tier 1 Environmental Review for CDBG Sandy Housing Program

Jill,

Here are our preliminary comments on the draft:

- 1) The analysis should include a discussion of not rebuilding in certain areas. In those areas most likely to relood, buying out the properties would seem to be viable option and might actually result in a long term cost savings when considering that these areas will inevitably be flooded again. Multiple rebuilds would greatly increase the economic cost, not to mention the emotional cost of repeated losing personal property. Getting infrastructure and personal property out of harm's way by establishing or enhancing natural infrastructure should be included in the City's analysis.
- 2) DEC should be included in any discussions on endangered and threatened species, not just the US Fish and Wildlife Service.
- 3) DEC is pleased to see that projects impacting wetlands will not be covered by this programmatic review and will require an individual finding of no significant impact.
- 4) We would not limit the analysis of wetlands to those depicted on the National Wetlands Inventory and would suggest consulting other available information, such as NYSDEC wetlands maps, when determining the extent of wetlands. We have found that the National Wetlands Inventory tends to underestimate the extent of freshwater wetlands in an area.

Thanks,

Venetia

[website](#) | [directions](#) | [email](#) |

>>> "Holt, Ben" <[Ben.Holt@cbi.com](mailto:Ben.Holt@cbi.com)> 6/6/2013 12:57 PM >>>

Venetia Lannon

You have been granted access to the below XNet site, where NYC Environmental Review documents (drafts and finals) will be posted for review. You will be able to download these documents to a hard drive and to print pages as you wish.

URL Address for SharePoint

Site: <https://shawxnet.shawgrp.com/sites/NYCEEnvironment/External%20NYC%20Tier%20I%20Review/Forms/AllItems.aspx>

Username: shawdmz\nyce.VLannon

Password: iz2haZ6N

NOTE: All passwords are case sensitive. You must enter exactly as noted. If you copy and paste your information, please be sure there are no extra spaces.

Please let me know if you have any questions or concerns.



**Ben J. Holt**  
GIS Manager  
Geospatial & Information Management  
Environmental & Infrastructure  
Tel: +1 225 987 7342  
Cell: +1 225 252 6219

Fax: +1 225 987 3495  
[ben.holt@CBI.com](mailto:ben.holt@CBI.com)

CB&I  
4171 Essen Lane  
Baton Rouge, Louisiana 70809  
USA  
[www.CBI.com](http://www.CBI.com)

This e-mail and any attached files may contain CB&I (or its affiliates) confidential and privileged information. This information is protected by law and/or agreements between CB&I (or its affiliates) and either you, your employer or any contract provider with which you or your employer are associated. If you are not an intended recipient, please contact the sender by reply e-mail and delete all copies of this e-mail; further, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.



April 26, 2013

Venetia Lannon  
Director, Region 2  
Department of Environmental Conservation  
1 Hunter's Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101-5407

RE: Hurricane Sandy Disaster Recovery  
New York City Houses Program  
NEPA Consultation: Tier I Environmental Review

Ms. Lannon:

The National Environmental Policy Act (NEPA) requires federal agencies, including the U.S. Department of Housing and Urban Development (HUD), to integrate environmental values into their decision making process by considering the environmental impacts of proposed actions. As the Responsible Entity for several Community Development Block Grant (CDBG)-Disaster Recovery (DR) programs funded by HUD to be implemented in New York City (NYC) in the aftermath of the devastation caused by Hurricane Sandy in October 2012, the NYC Office of Management and Budget (OMB) is required to complete Environmental Reviews (ER) of proposed activities. Per NEPA, the ER must include consideration of various environmental factors and regulations, including historic preservation, floodplain management, wetland protection, threatened and endangered species, environmental justice, and Executive Orders (EO). NYC is conducting a two-tiered ER of several Programs. The purpose of the Tier I ER is to facilitate and streamline review of environmental factors and regulations on a broad or programmatic-wide level. The following provides a brief description of the **NYC Houses Program** and, as part of this Tier I ER the City is requesting comments from the **NY Department of Environmental Conservation** (DEC) as well as other federal, state, and local agencies. Agency comments or guidance will inform both tiers of the ER process and be retained for the projects Environmental Review Record (ERR).

The densely populated coastal City of New York was declared a disaster area prior to the October 29, 2012 landfall of Hurricane Sandy. President Obama subsequently issued a major disaster declaration on October 30, 2012 for affected areas in the State of New York making disaster assistance available to those in the heaviest hit areas affected by the storm. Following damage assessments performed by the Federal Emergency Management Agency (FEMA) President Obama also signed into law the "Disaster Relief Appropriations Act, of January 29, 2013" (Public Law 113-2<sup>1</sup>), which included \$16B in funding for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, as well as economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Approximately 89 square miles of the City's land area (321 square miles) was inundated by Hurricane Sandy's floodwaters. Nearly 10% (846,056 persons) of the City's total population resided in damaged neighborhoods situated in or near the coastal zone of the five boroughs as shown in **Exhibit 1**. According to NYC analysis of damage to its housing stock in these

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<sup>1</sup> <http://gpo.gov/fdsys/pkg/PLAW-113publ2/pdf/PLAW-113publ2.pdf>

neighborhoods, over 63,000 residential units were damaged or destroyed along with devastating impacts to other sectors.

To specifically assist disaster recovery for the NYC housing sector, CDBG-DR funds in the amount of \$648,000,000 have been allocated by the HUD<sup>2</sup>. As indicated in the City's CDBG-DR-funded Hurricane Sandy Disaster Action Plan published on April 23, 2013, the NYC OMB will administer the CDBG-DR funds received from HUD for the recovery of Hurricane Sandy-damaged housing. Of these funds, a portion is being specifically set aside to provide assistance under this Program. Its activities are designed to address unmet housing needs of people affected by Hurricane Sandy, specifically residential property homeowners (owner occupied and year-round tenants of 1-2 single-family units) as well as owners and tenants of rental properties (owner occupied, 3-4 single-family units) to achieve permanent, sustainable housing solutions that allow them to remain in NYC and, where possible, return to their neighborhoods. CDBG-DR funds, in the amount of \$340,000,000, are targeted to assist the needs of eligible applicants who occupied these single-family houses impacted by the hurricane. The Program will offer three core recovery paths to eligible beneficiaries by providing different assistance types for owners of houses that fall into one of the following three categories of damage to housing:

- Reconstruction: Residential property that has been destroyed or is more expensive to rehabilitate than to reconstruct;
- Major Rehabilitation: Residential property that is not destroyed but has substantial damage as assessed by the Program;
- Moderate Rehabilitation: Residential property that was damaged by Hurricane Sandy, but is not destroyed and does not have substantial damage as determined by the Program.

The assistance will be provided to qualified applicants in the form of cap-restricted grants to complete these construction projects. In accordance with the Federal Register<sup>3</sup> at least 50% of the CDBG-DR funds must be used for project activities that benefit and meet the unmet housing needs of eligible low to moderate income households. All grants, loan amounts or other eligible services will be based on damage to the original dwelling, plus the funds necessary to meet applicable housing quality standards, local, state and/or federal building codes, and funds necessary for mitigation efforts to reduce the risk of damage to dwellings from future storm events. This assistance is specifically targeted to existing residential properties as described above, construction activities are anticipated to occur on original home sites, within the existing footprint of the damaged structure, and not result in increased population density.

Under CDBG-DR requirements, all demolition, rehabilitation, and reconstruction work will be completed to applicable building codes and standards, local ordinances, permitting. Zoning requirements would also typically be adhered to but exceptions may occur. In fact, due to potential concerns over certain provisions of NYC's Zoning Resolution that could have prevented, hindered or delayed disaster recovery, Mayor Bloomberg issued EO 233 on February 5, 2013<sup>4</sup>, entitled "Emergency Order to Suspend Zoning Provisions to Facilitate Reconstruction in Accordance with Enhanced Flood Resistant Construction Standards". This EO will remain in effect and therefore applicable to HRR construction activities until the NYC Department of City Planning completes the Uniform Land Use Review Process (ULURP) to update land use zoning in accordance with long-term city-wide planning goals. Once ULURP is complete, Program construction activities will adhere to the new land use zoning requirements in order to achieve environmental compliance.

For purposes of the ER, the area of the Program's potential environmental effects includes residential properties of NYC inadequately covered by homeowner insurance policies or where owners have insufficient financial

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<sup>2</sup> For additional information regarding Hurricane Sandy housing and other recovery efforts in New York City visit <http://www.nyc.gov/html/recovery/html/housing/housing.shtml>

<sup>3</sup> Federal Register 5696-N-01: Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy, March 5, 2013.

<sup>4</sup> [http://www.nyc.gov/html/om/pdf/eo/eo\\_230.pdf](http://www.nyc.gov/html/om/pdf/eo/eo_230.pdf)

resources to complete repair themselves, and where the applicants satisfy CDBG eligibility requirements. The exact number and location of hurricane-damaged home sites to be addressed by the Program is not known at this time since homeowner eligibility for housing assistance funds must be determined on a case by case basis. As described in the Tier I ER, NYC will conduct a Tier II Site-Specific ER for each proposed construction site that will assess required environmental compliance factors and HUD standards. Any environmental compliance factors and/or regulations determined through the Tier I ER to be affected by the Project or to have a potential affect on the Project will be addressed by the Tier II ER, once specific home sites are known. Site-specific environmental reviews will include desktop reviews of field inspections that document property conditions in order to determine environmental compliance requirements of the proposed construction activities.

In preparation of the Tier I ER, the City has reviewed information available from federal agencies as well as the NY Department of Environmental Conservation, the NY State Department of State, the NYC Department of City Planning and other agencies. The City has also reviewed the the Advisory Based Flood Elevation (ABFE) maps published by FEMA for portions of NYC that were impacted by Hurricane Sandy and understands that Preliminary Flood Insurance Rate Maps (P-FIRM) are currently under preparation for these same areas. For the Tier I ER, the City has established a robust geospatial database for the HRR and prepared numerous figures, including **Figures 2-1, 3-1, and 5-1** to respectfully depict the Flood Hazard Areas, Wetlands, and Coastal Zone in New York City, here attached for review and comment.

While EO 233 is in effect, the City understands that the rehabilitation and reconstruction activities in flood hazard areas may proceed despite non-compliance with certain zoning provisions, as long as the number of non-compliances does not increase, and flood protection standards are improved in these at-risk neighborhoods. While the ABFE is in effect, major and moderate rehabilitation of residential structures will be designed and executed to meet these new advisory elevations. As the P-FIRM maps are adopted by NYC, the elevation requirements for HRR projects may be adjusted. These adjustments to elevation requirements are expected to affect the costs of construction, potentially causing a proposed rehabilitation project to be more expensive than a reconstruction and thus trigger a change in the project type.

Despite the coincidence of hurricane-damaged single family houses within the NYC coastal boundary, the City does not anticipate a need for Environmental Assessments beyond what the Program completes for its ERR. The City has filed a Waterfront Revitalization Program (WRB) Consistency Assessment Form with both WRB and the NY State Department of State indicating that the Program's construction activities are being designed and executed to be consistent with NYC's 2002 WRP policies applicable to residential construction. With respect to the 10 NYC WRP policies, and the potential resource management concerns of the DEC and other Federal, State, and Local agencies, Program activities are expected to accomplish the following while serving the unmet housing needs of NYC residents in the aftermath of Hurricane Sandy:

- NYC residential properties damaged or destroyed by Hurricane Sandy will be improved by rehabilitation or reconstruction of hurricane-damaged homes and services to meet the qualified applicant's established housing need and meet the City-adopted greenbuilding standards as well as HRR resiliency goals, thus the City's tax base will thus be modestly enhanced. The owners of properties situated in the floodplain will be required to purchase and maintain flood insurance for at least five years.
- The general condition of properties will be improved by demolition and removal of hurricane-damaged secondary structures, such as piers or decking<sup>5</sup>, as well as abandoned vehicles or other storm debris and other hazards that might otherwise restrict recreational access to the waterfront and contribute to environmental degradation of coastal resources. Solid and hazardous waste removal will be managed and transported in accordance with regulatory requirements.

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<sup>5</sup> The CDBG-DR funds are strictly designated to address housing needs of disaster victims that comply with NEPA and HUD environmental standards, as well as NYC objectives for the HRR. Such structures as piers, docks, and boat ramps on hurricane-damaged waterfront will not be replaced with CDBG-DR funds.

- Standard best management practices (BMPs) will be implemented to control stormwater runoff and soil erosion during construction activities and thus protect the quality of surface waters and dependent natural resources. Similarly, implementation of these BMPs during construction can be expected to minimize effects on air quality as well as mitigate noise impacts of construction activities in accordance with the City's 2007 Construction Noise Rules.
- Where landscaping is required for HRR projects to meet the City-adopted greenbuilding standards, vegetative plantings will be selected that are protective of shoreline characteristics and other natural features, and that have a potentially high success rate for achieving restoration of basic environmental quality and the function of coastal resources in areas damaged by Hurricane Sandy.
- Significant effects to historical or archeological features are expected to be minimal. However, as the demolition of structures may involve ground-breaking activities, archeological/cultural artifacts may be uncovered. In such cases, construction activities will be halted and site-specific consultation with State and Tribal Historic Preservation Officers to resolve this 36 CFR Section 106 compliance factor.

Given the nature of the proposed construction activities on established residential properties in the damaged residential neighborhoods of NYC's coastal zone, and the above approach to construction activities, NYC is not anticipating significant adverse effects from the Program described. As the Tier II site-specific ERs progress, NYC does expect certain cases may pose complex and unexpected circumstances where the guidance of the DEC and other agencies may be warranted to resolve certain compliance factors, and for which site-specific consultation will be undertaken as indicated above. Prior to proceeding with its construction projects, the Program anticipates that site-specific measures to mitigate potential effects on the floodplain, wetlands, threatened and endangered species, and migratory birds may be required. Site-specific measures to protect properties from various hazards may also be required. In summary, NYC finds the Program will enhance the environmental quality of Hurricane Sandy-damaged neighborhoods and help strengthen the resiliency of its coastal communities.

The City invited comment from various agencies on the Hurricane Sandy Disaster Recovery Action Plan. The City also extends an invitation for DEC to comment on this Program's Tier I ER as well as provide any guidance deemed pertinent to further assist its environmental evaluation of its proposed actions in storm-damaged coastal neighborhoods. The City also invites comments from the DEC on the Program's potential effects or recommendations to consider in the two-tiered ER process, we respectfully request comments be provided within 30 days of the above date or we may assume the DEC has no NEPA or otherwise related issues with this described project. Please do not hesitate to contact us if you have any questions.

Sincerely,



Kevin F. Donnelly, P.E.

Program Manager

Mayor's Office, Housing Recovery Operations

250 Broadway

New York, NY 10007

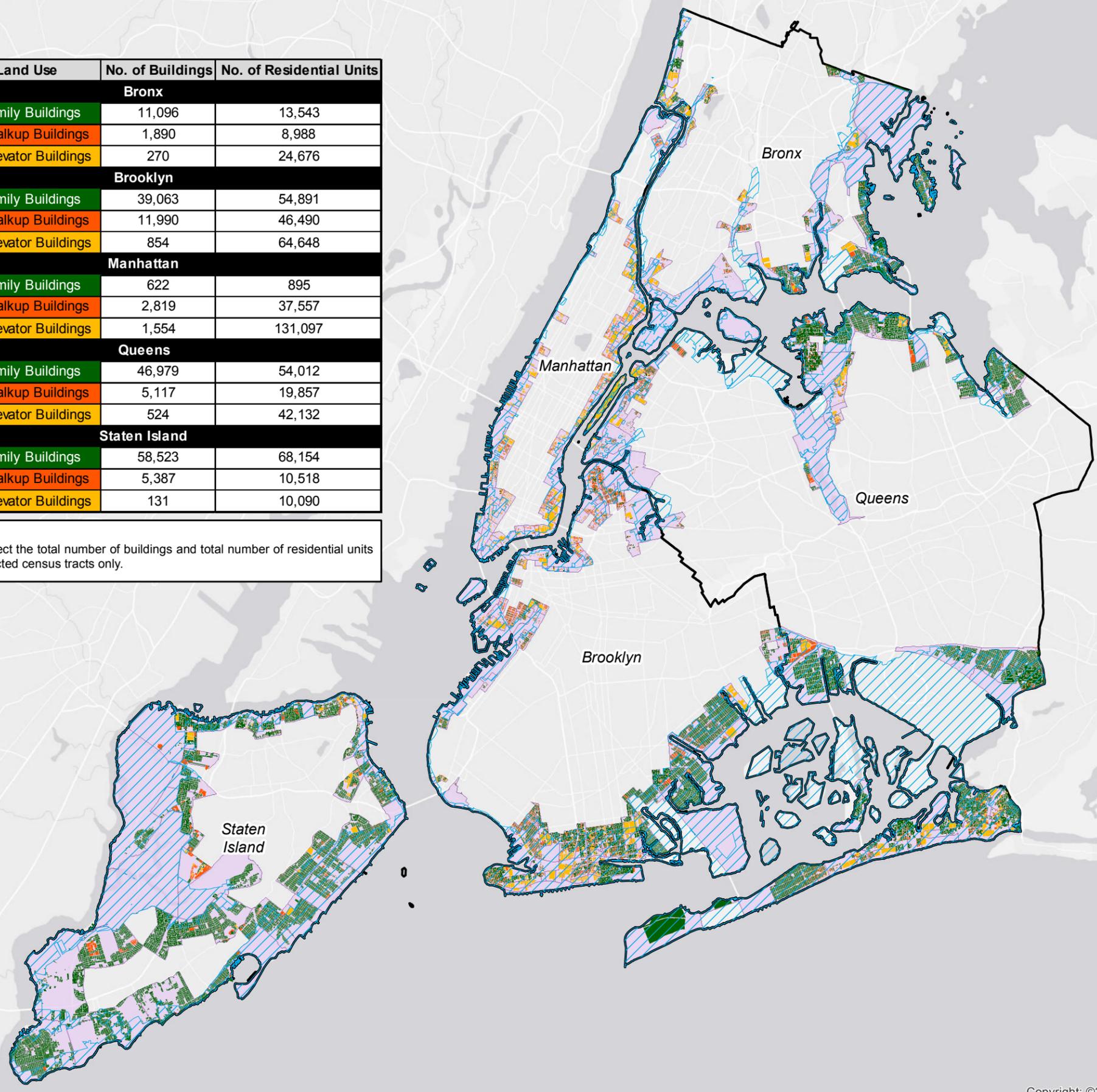
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Point of Contact: John Gearrity, Assistant Commissioner, Building and Land Development Services, NYC-Housing Preservation Development, 100 Gold Street, Rm 70-1, New York City, NY 10038; email: [gearritj@hpd.nyc.gov](mailto:gearritj@hpd.nyc.gov)

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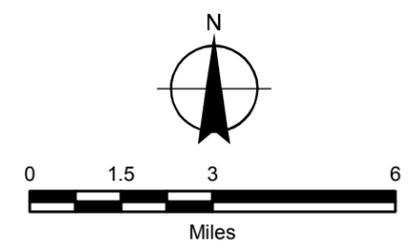


**Legend**

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NYC Dept. of City Planning (March 2013)
- Census Tracts  
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- Sandy Impact Zone (89.30 SqMi)  
NYC Office of Emergency Management

**MapPLUTO - Land Use**

- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings  
NYC Dept. of City Planning (November 2012)



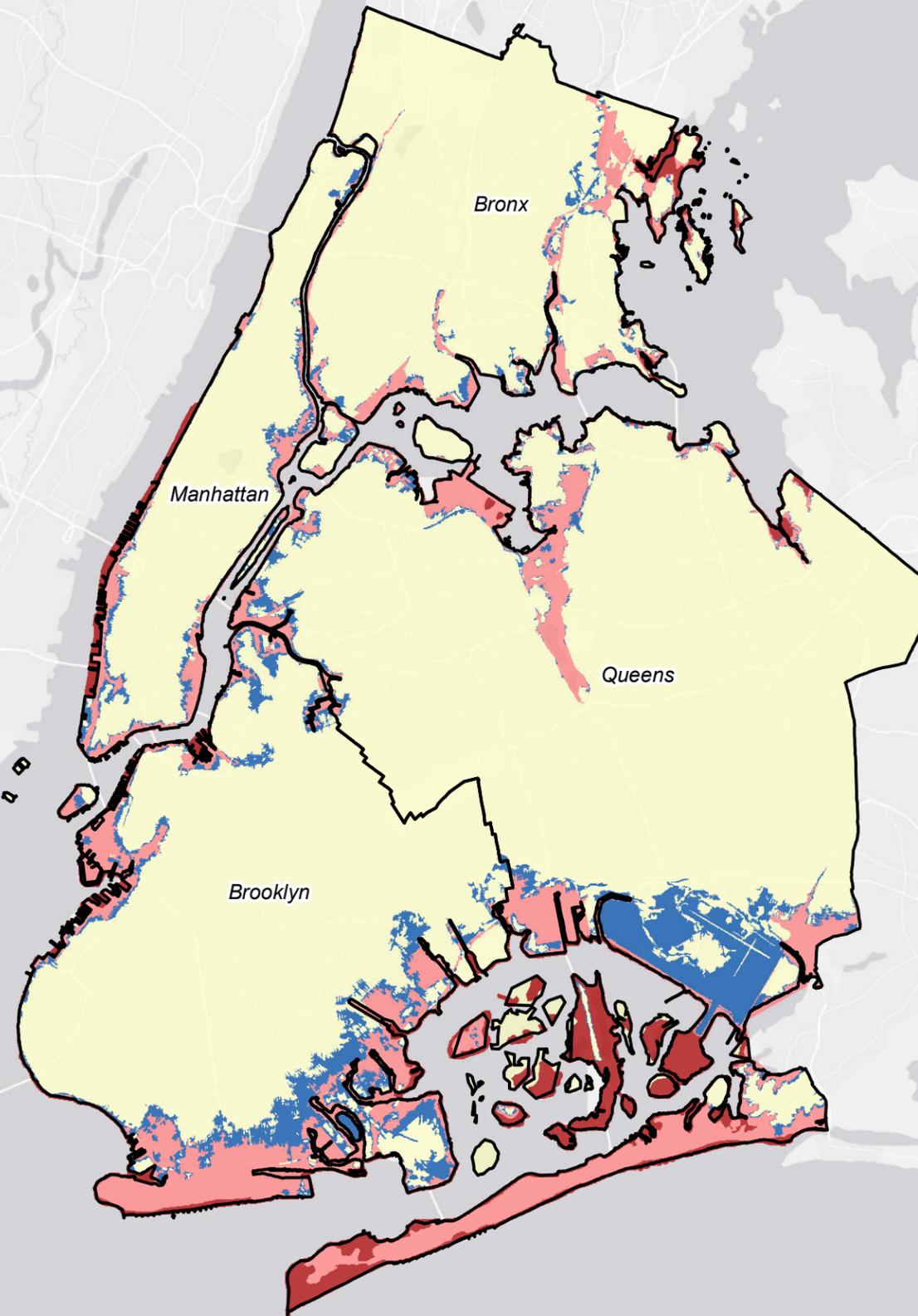
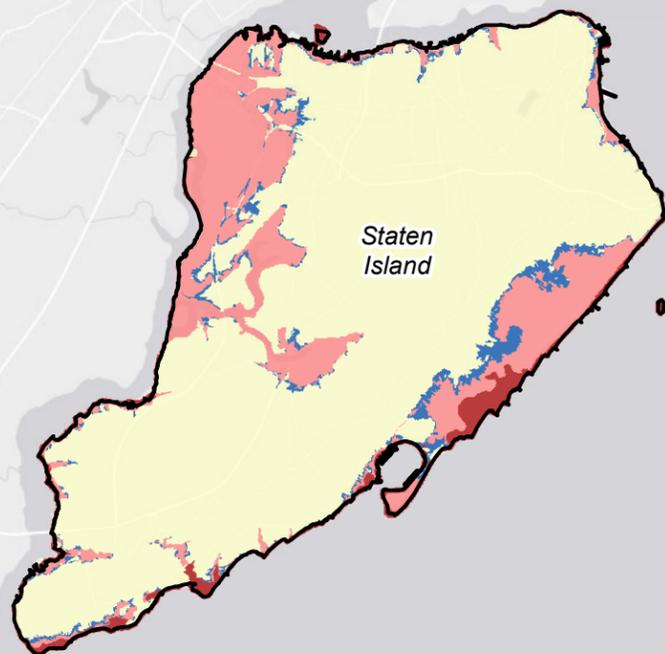
Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

<b>EXHIBIT</b> <b>1</b>	<b>NEW YORK CITY NEIGHBORHOODS DAMAGED BY HURRICANE SANDY</b>
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**NYC**

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V	2.08	4.8%
Shaded X	1.07	2.4%
X	36.95	84.6%
<b>Brooklyn</b>		
A	10.90	14.7%
V	4.30	5.8%
Shaded X	6.57	8.9%
X	52.27	70.6%
<b>Manhattan</b>		
A	2.95	12.1%
V	1.70	7.0%
Shaded X	1.40	5.7%
X	18.26	75.1%
<b>Queens</b>		
A	12.93	11.4%
V	8.86	7.8%
Shaded X	7.20	6.4%
X	84.22	74.4%
<b>Staten Island</b>		
A	10.66	17.8%
V	3.04	5.1%
Shaded X	1.97	3.3%
X	44.29	73.9%
<b>New York City</b>		
A	41.02	13.0%
V	19.98	6.3%
Shaded X	18.21	5.8%
X	235.98	74.9%



**Legend**

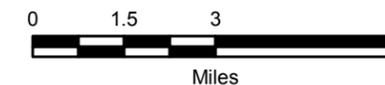
New York City Boroughs  
NYC Dept. of City Planning (March 2013)

**FEMA Advisory Flood Zones**

- 100 Year Floodplain - Zone A
- 100 Year Floodplain - Zone V
- 500 Year Floodplain - Shaded Zone X  
Federal Emergency Management Agency (April 2013)
- Outside of Floodplain - Zone X

Note:  
Zone designations include: Zone V, which designates areas in the coastal high hazard zone, subject to high velocity wave action with breaking waves over 3 ft in height based on the 1% annual chance flood elevation. Zone A, which designates areas subject to coastal flood effects based on the 1% annual chance flood elevation. Shaded Zone X, which designates areas subject to coastal flood effects associated with 0.2% annual chance flood event.

Zone X was calculated by taking the difference between the NYC Borough area and the FEMA Advisory Flood Zones.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

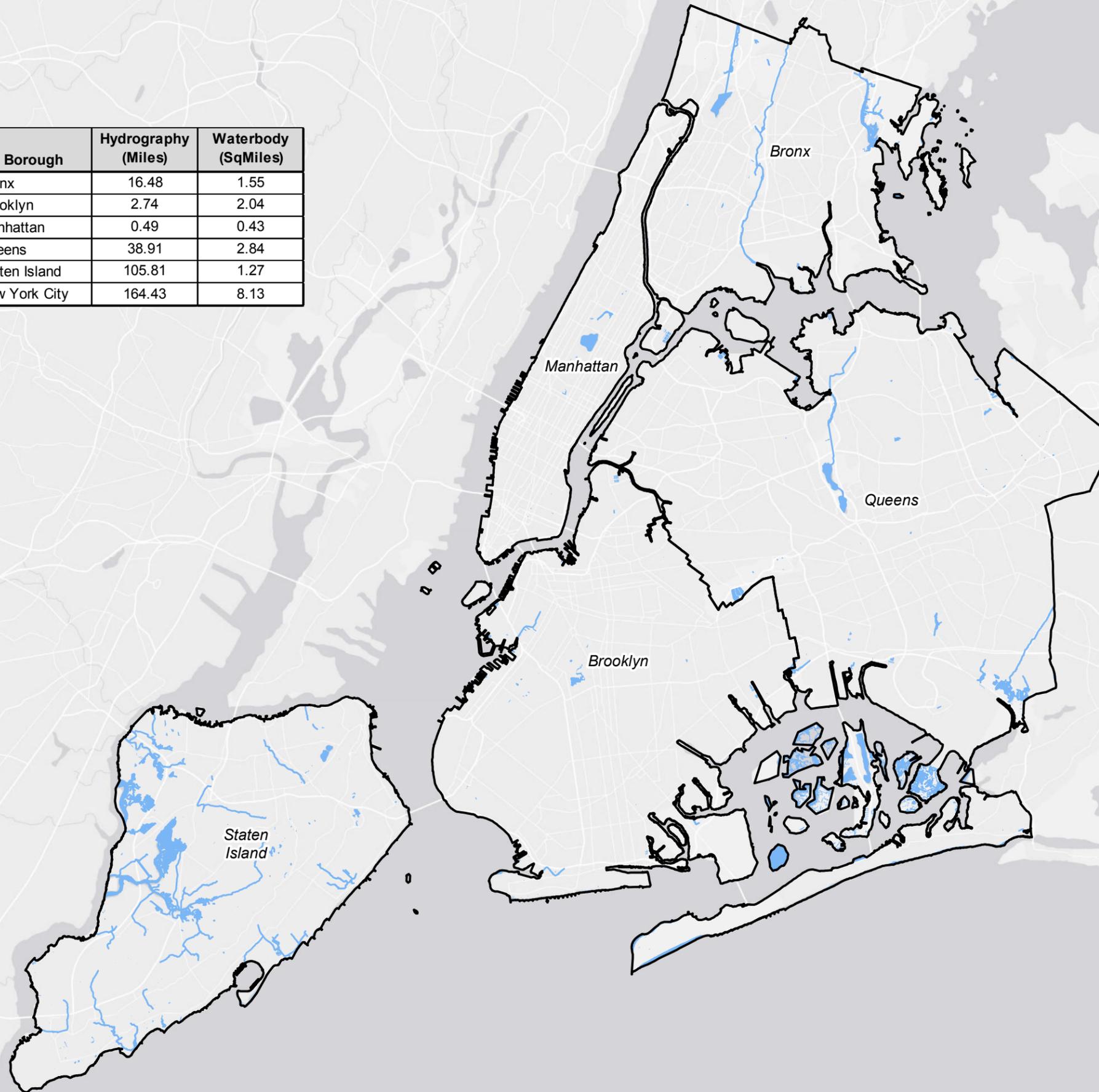
TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE  
NUMBER  
**2-1**

**FLOOD HAZARD AREAS  
IN NEW YORK CITY**

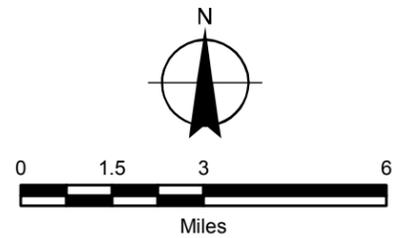


Borough	Hydrography (Miles)	Waterbody (SqMiles)
Bronx	16.48	1.55
Brooklyn	2.74	2.04
Manhattan	0.49	0.43
Queens	38.91	2.84
Staten Island	105.81	1.27
New York City	164.43	8.13



**Legend**

-  New York City Boroughs  
*NYC Dept. of City Planning (March 2013)*
-  Hydrography  
*US Geological Society (Feb 2012)*
-  Waterbody  
*US Geological Society (Feb 2012)*



*Reference:*  
The source of each feature is displayed beneath each feature in the legend.

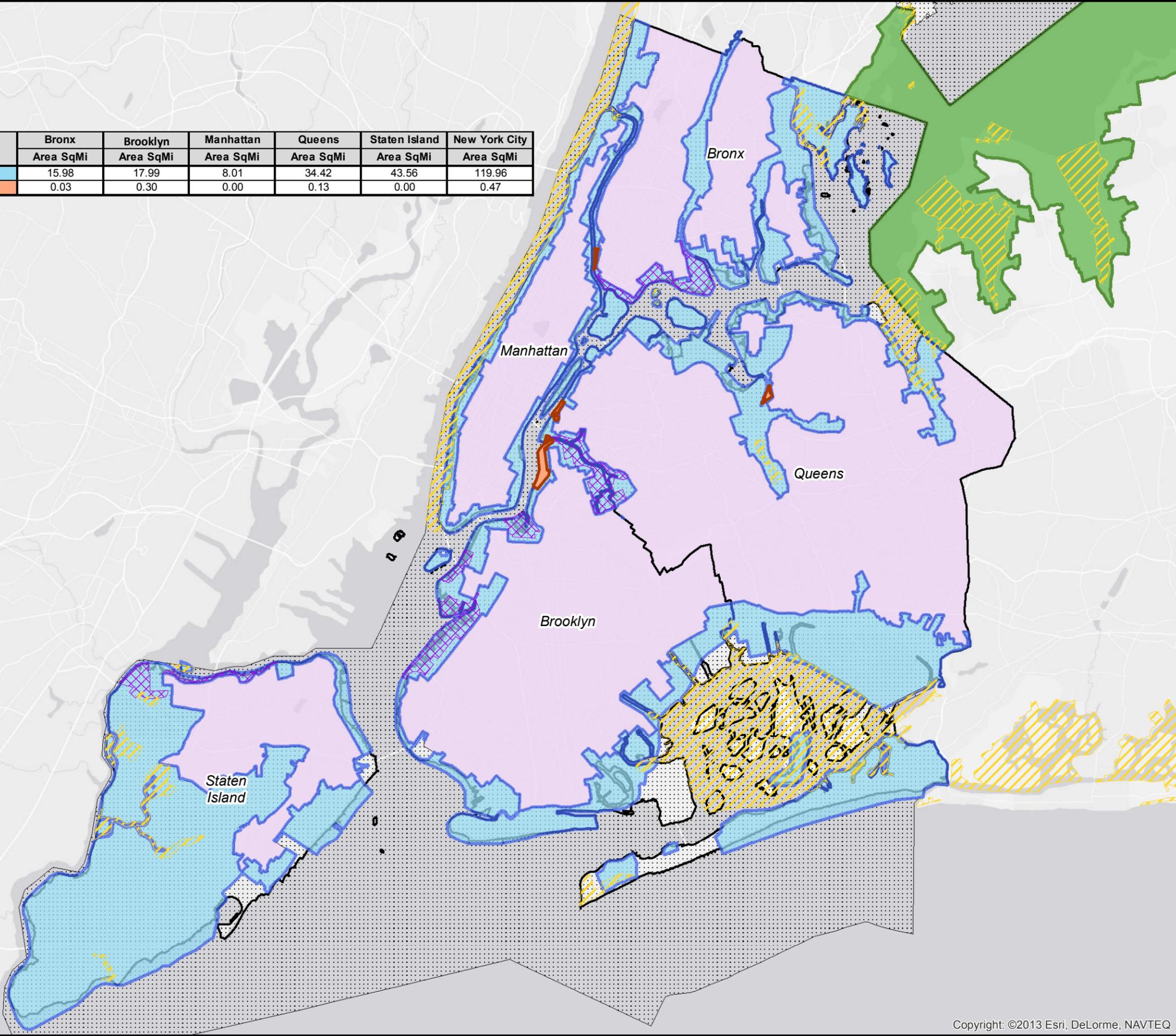
TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**3-1**

**SURFACE WATER RESOURCES  
IN NEW YORK CITY**



Coastal Feature	Bronx	Brooklyn	Manhattan	Queens	Staten Island	New York City
	Area SqMi	Area SqMi				
Coastal Zone Boundary	15.98	17.99	8.01	34.42	43.56	119.96
Waterfront Access Plan	0.03	0.30	0.00	0.13	0.00	0.47

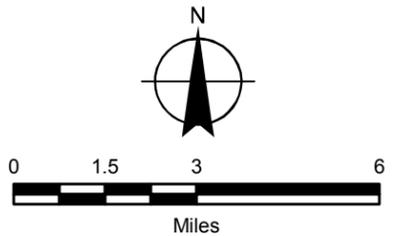


**Legend**

-  New York City Boroughs  
NYC Dept. of City Planning (March 2013)
-  Coastal Zone Boundary  
NYC Dept. of City Planning,  
Waterfront and Open Space Division (Sep 2011)
-  Waterfront Access Plan  
NYC Dept. of City Planning, Planning Coordination,  
Waterfront and Open Space Division (Sep 2011)
-  Significant Maritime and Industrial Areas  
NYC Dept. of City Planning,  
Waterfront and Open Space Division (Mar 2012)
-  Significant Coastal Fish  
and Wildlife Habitats  
NYS Dept. of State,  
Division of Coastal Resources (Jan 2013)
-  Long Island Sound CMP  
NYS Dept. of State,  
Division of Coastal Resources (Jan 1999)
-  Local Waterfront Revitalization Areas  
NYS Dept. of State,  
Office of Communities and Waterfronts (April 2013)
-  Local Waterfront Revitalization  
Program Communities  
NYS Dept. of State,  
Office of Communities and Waterfronts (April 2013)

Note:  
The Coastal Zone Boundary represented in this figure is being revised by the Waterfront Revitalization Program of the NYC Department of City Planning and is expected to take effect in 2014.

The Coastal Zone Boundary encompasses the following coastal features: Significant Maritime and Industrial Areas, Significant Coastal Fish and Wildlife Habitats, Special Natural Waterfront Areas, Staten Island Bluebelts, Tidal and Freshwater Wetlands, Coastal Floodplains and Flood Hazard Areas, Erosion Hazard Areas, Coastal Barrier Resources Act Areas, Steep Slopes, Parks and Beaches, Visual Access and Views of Coastal Waters and the Harbor, Historic, Archaeological, and Cultural Sites Closely Associated with the Coast, and Special Zoning Districts.



Reference:  
The source of each feature is displayed beneath each feature in the legend.

TIER I ENVIRONMENTAL REVIEW  
HURRICANE SANDY DISASTER RECOVERY PROGRAM  
NEW YORK CITY HOUSES  
REHABILITATION AND RECONSTRUCTION

FIGURE NUMBER  
**5-1** COASTAL ZONE MANAGEMENT  
IN NEW YORK CITY



# **Appendix C**

## **Public Comments**

- 1 Early Floodplain Notice**
- 2 Final Floodplain Notice**
- 3 Finding of No Significant Impact**
- 4 Notice of Intent to Request Release of Funds**
- 5 Objections to the Release of Funds**

## **1-Early Notice of a Proposed Activity in a 100-Year Floodplain and Wetlands**

### ***Allocation of Funding regarding Public Housing Facilities***

The City received one comment pertaining to reducing the number of public housing units available as a result of resiliency measures.

*While moving mechanical and electrical equipment to higher elevations is a critical component of NYCHA's resiliency plan, methods are being sought to make those improvements with as little impact to public housing units as possible. If units are affected by proposed mitigation, those plans would include replacement of those units so that there is no net reduction in the number of units.*

The City received one comment pertaining to funding public housing facilities prior to funding all public housing residential development projects (i.e., community centers, operations centers, etc.)

*The City believes that the programs related to resiliency are necessary to help address the City's needs across several areas. These programs are designed to help the City be ready for future storms to the greatest extent possible. In many cases, these programs will help protect the investments the City and others are making to restore property.*

The City received one comment pertaining to using CDBG-DR funding to include public housing development projects outside of Flood Zone A as well as those within the 100-year flood zone.

*NYCHA's initial efforts for restoration and resiliency will be focused on developments that were directly impacted by Sandy, whether within or outside of Flood Zone A. Going forward, NYCHA will also continue to focus on resiliency for all buildings. Those efforts will identify priorities that take into consideration the impacts of FEMA updated floods maps as well as the relative vulnerability of NYCHA buildings (i.e. senior buildings).*

### ***Health and Safety Hazards as a result of Hurricane Sandy***

The City received one comment pertaining to the remediation of mold and mildew at the NYCHA public housing developments.

*Mold remediation efforts in NYCHA buildings began shortly after Sandy and have continued since then where ever necessary. These ongoing efforts are anticipated to be reimbursed through NYCHA's insurance, FEMA proceeds, and/or future rounds of CDBG-DR funding.*

### ***Public Outreach Efforts***

The City received one comment pertaining to the public outreach effort involving the public housing residents.

*NYCHA has conducted outreach to its residents re: repairs and other work. They receive direct FEMA and insurance funds for that.*

*This piece of funding from CDBG is strictly for resiliency measures, such as providing back-up*

generators - all of which was outlined in the Action Plan, and we had a public notice period. We conducted extensive outreach during that time, as did SIRR on resiliency measures.

### **Allocation of Funding regarding the NYC Build It Back Program (General)**

The City received several comments pertaining to the allocation of funding in general, specifically about rebuilding and other efforts in high risk areas.

*In regards to the rebuilding efforts in high risk areas, buyouts and resiliency and coastal protection are both under consideration. The City believes that buyouts can be an important component of an overall housing mitigation and resilience strategy in selected areas, alongside the resilience measures. The City is working with New York State on advancing the buyout program included in their Action Plan in targeted areas based on analysis. Applicants interested in pursuing this option and who own property in the targeted areas will be referred to the State program through the City's intake process. These applicants would be required to demonstrate that they will achieve a sustainable permanent housing solution (i.e., have options and financial ability to sustain themselves in a permanent housing solution).*

*In December 2012, Mayor Bloomberg created the Special Initiative for Rebuilding and Resiliency (SIRR) to address how to create a more resilient New York City in the wake of Hurricane Sandy, with a long-term focus on preparing for and protecting against the impacts of climate change. A final report, released in June, presents actionable recommendations both for rebuilding the communities impacted by Sandy and increasing the resilience of infrastructure and buildings citywide. The Special Initiative for Rebuilding and Resiliency (SIRR) addresses how New York City can rebuild to be more resilient in the wake of Sandy but with a renewed focus on how to improve citywide infrastructure and building resilience in the medium and long term; and how to rebuild locally in order to help Sandy-impacted communities become more resilient*

### **Other/Off-Topic**

The City received several comments that are outside of the scope of the Early Floodplain Notices. Responses are included below.

#### **Comment Periods**

*The Partial Action Plan A was published on May 10, 2013. The comment period ending on June 6 is in reference to the Early Floodplain Notices for NYC Build It Back programs NYC Houses and NYCHA. The Tier I documents for both programs was published for public comment on June 28, 2013.*

#### **CDBG-DR Applicant Process**

*Applicants can apply to the NYC Build It Back process in one of two ways. Potential applicants can call "311" and ask for NYC Build It Back or they can register online at <https://www.nyc.gov/apps/311universalintake/form.htm?serviceName=CHALL+Build+it+Back>.*

## **2-Final Notice of a Proposed Activity in a 100-Year Floodplain and Wetlands**

The City did not receive public comments regarding this final floodplain notice.

### **3-Finding of No Significant Impact**

The City did not receive public comments regarding this public notice.

### **4-Notice of Intent to Request Release of Funds**

The City did not receive public comments regarding this public notice.

### **5-Objections to the Release of Funds**

The City did not receive public comments regarding this public notice.