



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

PUBLIC NOTICE

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI), NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF), AND FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

CARMINE LIBERTA BRIDGE PROJECT

March 22, 2016

Name of Responsible Entity and Recipient: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Thomas J. King (518) 473-0015.

This combined notice satisfies three separate procedural requirements for project activities proposed to be undertaken. Per 24 C.F.R. Part 58.33, this combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds (FONSI/ NOIRROF) and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain/Wetland. The funds are needed immediately to replace the existing storm damaged bridge. As a result, the comment periods for the FONSI/ NOIRROF and Final Notice and Public Review of activity in 100-year floodplain and wetland have been combined.

Project Description:

The Carmine Liberta Bridge sustained damage during Hurricane Irene and Tropical Storm Lee. The bottom chords and bearings are located within floodway and the 100-year floodplain as the bridge beam sits at or just above the 100-year floodplain. This project involves Community Development Block Grant – Disaster Recovery (CDBG-DR) program funding for replacing the existing bridge. The total project cost is \$2,500,000.00: \$490,000.00 will be paid for with CDBG-DR funds and \$2,010,000.00 will be paid for with local funds toward implementing the project. The project will involve the demolition of the current bridge superstructure and the construction of a new bridge raised 18 inches above the existing bridge beam level and utilizing the existing abutments. A temporary bridge will be installed prior to beginning demolition of the existing bridge to handle traffic during construction. Additional work includes repairs to the existing bridge abutments to provide additional scour protection, installation of a water main to replace the one being lost with the demolition of the older bridge structure, construction of a temporary bridge immediately north of the current bridge in order to facilitate traffic during the construction of the permanent replacement bridge, and creation of a small overlook of the Wallkill River on the east bank in the area disturbed by the installation of the temporary bridge.

The proposed western temporary abutment is to be located adjacent to the corner of an active agricultural field that occupies the wide level floodplain of the Wallkill River. Temporary sheet piling will be installed to stabilize the ground to the east of the abutment. An existing overhead wire passes through this location with a utility pole alongside the riverbank. The riverbank drops steeply to the water surface as a result of erosion. The proposed eastern temporary abutment will be located near the corner of Main Street and Huguenot Street immediately north of the existing bridge structure. An underground water main emerges from the ground near this location and is carried alongside the existing bridge; this water main will be replaced with the construction of the new bridge.

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Public Explanation of a Proposed Activity in a 100-year Floodplain and Wetland:

This work will be located in 100-year floodplain (SHFA Zone AE), floodway, and within federal riverine wetlands. Approximately 0.25 acres of wetlands will be disturbed, and approximately two (2) acres of floodway and floodplain will be disturbed during construction. Since the action will include new construction in wetland and floodplain, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands.

One potential alternative is to rehabilitate the bridge which would entail replacing all of the floor beams, stringers, the lower chords of the trusses, and all of the lower chord gusset plates. In addition, repairs would be needed to the lower portions of both the vertical and diagonal truss members. Once the steel repairs have been made, then a new concrete deck would need to be installed. All remaining truss elements not replaced would need to be completely sandblasted and painted, necessitating complete tenting of the structure. A temporary bridge would still need to be constructed, and the roadway would remain its current width. This alternative would prevent future damage from being as severe, as the bridge is currently vulnerable to damage from debris during floods. This alternative would improve the superstructure condition, but it would not prevent the flooding that occurs when debris gets caught in the bridge. Furthermore, it would mean access across the river could be hindered for emergency vehicles during and immediately after future storm events.

A second alternative would be for the bridge to be rehabilitated and replaced without building a temporary bridge structure. This would mean that the crossing would be closed for the duration of construction. There is no other vehicle bridge crossing the Wallkill River within five miles of the Carmine Liberta Bridge. If this bridge crossing were closed, emergency response time could be slowed and local roads and river crossings north and south of the current bridge may not be able to handle the approximately 5,000-10,000 cars that cross this bridge daily.

A third alternative is to remove the existing bridge and revert the land to agricultural use. This would prevent future increased flood damage upstream from the bridge as flood debris would no longer be trapped by the bridge. However, this alternative would mean access to the land west of the Wallkill River and to the Village on the east side of the Wallkill River would be impeded as traffic would have to divert to bridges located north-northeast and/or south-southwest of New Paltz.

A fourth alternative is for no action to occur, meaning the Applicant would not be receiving grant funds to assist with the construction of the new bridge and associated water main. This would mean that access across the Wallkill River at this location may be hindered during storms and the aging infrastructure may not be rehabilitated. In addition, this alternative would not support the resiliency of this community. The project would be impeded due to the lack of financial support, which means the bridge could continue to deteriorate in place to a point where it becomes unsafe for travel.

Applicable permits from the New York State Department of Environmental Conservation and the United States Army Corps of Engineers will be acquired before work is commenced. The Applicant will be bound by any permit stipulations or mitigation measures listed in permits acquired for this project. Additionally, ground disturbance will be minimized by placing fabric down in areas where temporary roads will be installed.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/ wetlands and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains/ wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these

special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains/ wetlands, it must inform those who may be put at greater or continued risk.

Finding of No Significant Impact:

GOSR prepared an Environmental Assessment pursuant to 24 CFR Part 58 Subpart E and determines that this project is not an action which will result in a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement under NEPA is not required and will not be prepared. GOSR, as Responsible Entity, is publishing this FONSI plus sending it to identified interested parties, appropriate involved government agencies, and local news media. An Environmental Review Record (ERR) documenting the environmental determinations supporting this FONSI is on file and available for public inspection during normal business hours (9 A.M. - 5 P.M.) in accordance with 24 CFR Part 58 at the office listed below. The NEPA Environmental Assessment documenting the FONSI may be viewed and downloaded at:

<http://www.stormrecovery.ny.gov/environmental-docs>

GOSR has determined that the ERR for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58, et al.

Public Review:

Public viewing of the ERR is available on the internet and is also available in person and may be examined or copied during non-holiday weekdays from 9:00 AM - 5:00 PM at the following address:

*Governor's Office of Storm Recovery
99 Washington Ave. Suite 1224
Albany, NY 12260
Contact: Thomas J. King (518) 473-0015*

Further information also may be requested at NYSCDBG_DR_ER@nyshcr.org.

Public Comments on FONSI/Findings, NOIRROF & Actions in Floodplain/Wetland:

Any individual, group, or agency disagreeing with the FONSI determination or desiring to comment on the project may submit written comments to both: Thomas J. King, GOSR, 99 Washington Ave., Suite #1224, Albany, NY 12260, and Tennille Smith Parker, Director, Disaster Recovery & Special Issues Division, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Comments may also be submitted via email at NYSCDBG_DR_ER@nyshcr.org. All comments received within 15 days following the date of first publication of this notice will be considered by GOSR prior to authorizing submission of a request for release of funds.

Request for Release of Funds and Certification:

On or about SIXTEEN CALENDAR DAYS AFTER PUBLICATION DATE, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

HCR certifies to HUD that Thomas J. King, in his capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. 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 GOSR to use CDBG-DR program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by HCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity or has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; 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 Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649.



Thomas J. King
Assistant General Counsel & Certifying Officer
Governor's Office of Storm Recovery
March 22, 2016