

Final Notice and Public Explanation of a Proposed Activity in a Wetland

To: All interested Agencies, Groups and Individuals

This is to give notice that New York State Homes & Community Renewal (HCR), through the New York State Housing Trust Fund Corporation (HTFC) has conducted an evaluation as required by Executive Order 11990 in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the HOME LPA Program, Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA) of 1990, in accordance with section 288 (42 U.S.C. 12838). The proposed project is located 154 Hurd Road in the City of Harpursville, Broome County and is located in a wetland. The extent of the wetland was determined using the New York State Department of Environmental Conservation Environmental Resource Mapper and Environmental Assessment Form Mapper, the U.S. Fish and Wildlife Service National Wetlands Inventory, and a Wetland Delineation performed on September 20, 2024, by Delta Engineers, Architects, and Surveyors.

The proposed project will include the demolition of an existing mobile home unit, excavation, site prep and grading, the installation of a frost protected foundation pad, and the installation of a new mobile home unit. The mobile home replacement will occur in the same footprint as the existing mobile home unit and the existing well and septic will be utilized. Project activities will be focused solely within the existing mobile home footprint. The footprint of the existing mobile home unit is approximately 2,000 square feet. Due to the size of the project and the minimal amount of earthwork needed to complete this project, the wetlands will not be impacted by stormwater runoff. A SWPPP is not required, as the project will not be disturbing more than 1-acre of land. The Wetland Delineation, prepared by Delta Engineers, Architects, and Surveyors, determined that the project activities will not disturb, encroach, or alter the delineated wetlands on-site.

New York State Homes & Community Renewal (HCR) has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing wetland. The project is for the replacement of an existing dilapidated mobile home unit with a new unit. This project will provide the homeowner, and residents of the existing mobile home, with a new, safe, and upgraded affordable home. If this project was not executed, the residents would not have been given the opportunity for a safer housing situation. It is not practical to replace the existing mobile home unit with a new one in another location. This alternative would take away from the funding allotted to the mobile home replacement in order to move project sites. The project activities, associated with the replacement of the mobile home unit in the existing footprint will not impact or affect the existing wetlands.

New York State Homes & Community Renewal (HCR) has reevaluated alternatives to building in the wetland and has determined that it has no practicable alternative to wetland development. Environmental files documenting compliance with Executive Order 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in wetland 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 and request for public comment about wetland can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in wetland, it must inform those who may be put at greater or continued risk.

Written comments must be received by the New York State Homes & Community Renewal (HCR) the following address on or before November 6, 2024: Environmental Analysis Unit, NYSHCR, 38-40 State Street, Albany, New York, 12207, (518) 473-2131, Attention Cody Sargood, Supervisory Environmental Analyst. Comments may also be submitted via email at environmental.comments@nys.hcr.gov. The Record of Compliance including full description of the project may also be reviewed at <https://hcr.ny.gov/hcr-environmental-review>.

Date: **October 29, 2024**

New York State Homes and Community Renewal (HCR)

EXECUTIVE ORDERS:
11990 - PROTECTION OF WETLANDS & 11988 FLOODPLAIN MANAGEMENT

24 CFR Part 55
8-Step & 5-Step Record of Compliance

RESPONSIBLE ENTITY: New York State Homes and Community Renewal (HCR)

CERTIFYING OFFICER: Cody Sargood

CONTACT PERSON: Sara George

ADDRESS: NYSHCR
Environmental Analysis Unit
Hampton Plaza
38-40 State Street
Albany, New York 12207
(518) 473-2131
Environmental.comments@hcr.ny.gov

PROJECT NAME: 154 Hurd Road Harpursville

ADDRESS: 154 Hurd Road
City of Harpursville, Broome County

Greater Opportunities for Broome and Chenango, Inc. proposes the mobile home replacement of a single-family mobile home unit on a 17.16-acre lot at 154 Hurd Road in the City of Harpursville, Broome County. The proposed project will include the demolition of the existing mobile home unit, excavation, site prep and grading, the installation of a frost protected foundation pad, and the installation of the new mobile home unit. The mobile home replacement will occur in the same footprint as the existing mobile home unit and the existing well and septic will be used.

Source documents:

- NYS Coastal Atlas
- NYS Environmental Assessment Form (EAF) Mapping
- NYS Environmental Resources Mapper (ERM)
- U.S. Fish and Wildlife Service, National Wetland Inventory
- US Nationwide River Inventory
- Google Earth
- FEMA Flood Insurance Rate Map (FIRM) Panel 3600410020E, dated January 20, 1993
- Delta Engineers, Architects, and Surveyors Wetland Delineation Report, September 20, 2024

Step 1. (24 CFR §55.20 (a)) The action is located in or on a site containing:

_____ 100 year floodplain – Special Flood Hazard Area (SFHA)

500 year floodplain - *for critical actions only* - 55.11 Table 1

Wetland

Step 2. (24 CFR §55.20 (b)) Notice for Early Public Review

A public notice describing the project was posted at <https://hcr.ny.gov/hcr-environmental-review> on October 11, 2024, and remains posted there. The notice was also sent to entities and people expected to have an interest in the action. The notice also included the name, proposed location and description of the activity, and the total number of wetland acres involved. The required 15 calendar days were allowed for public comment. A copy of this Record of Compliance and all supporting documentation were available on the above-mentioned website and by contacting the HCR Environmental Unit via phone, email, or mail.

The project site is not located in an area requiring bilingual or multilingual publication per 24 CFR 55.20(b)(1).

Date published: October 11, 2024

End of comment period: October 28, 2024

Comments received? Yes No

Step 3. (24 CFR §55.20 (c)) Alternatives

A. Are there any practical alternative sites?

Yes, list:

No, explain: The project is for the replacement of an existing dilapidated mobile home unit with a new unit. This project will provide the homeowner, and residents of the existing mobile home, with a new, safe, and upgraded affordable home. If this project was not executed, the residents would not have been given the opportunity for a safer housing situation. It is not practical to replace the existing mobile home unit with a new one in another location. This alternative would take away from the funding allotted to the mobile home replacement in order to move project sites. The project activities, associated with the replacement of the mobile home unit in the existing footprint, will not impact or affect the existing wetlands.

B. Are there any practical alternative actions?

_____ Yes, list:

No, explain: This project is for the replacement of a dilapidated mobile home unit with a new upgraded unit in the same footprint. The existing mobile home unit is unsafe for the current residents. Any alternative action would remove the opportunity of safe upgraded housing for the project residents. The mobile home replacement will occur in the same footprint and project activities will be focused solely to the mobile home footprint. The footprint of the existing mobile home unit is approximately 2,000 square feet. Due to the size of the project and the minimal amount of earthwork needed to complete this project, the wetlands will not be impacted by stormwater runoff. The wetlands will not be impacted by the project activities. The Wetland Delineation, prepared by Delta Engineers, Architects, and Surveyors, determined that the project activities will not disturb, encroach, or alter the delineated wetlands on-site.

C. Is the no action alternative practical?

_____ Yes, list:

No, explain: A no action alternative was considered and rejected due to the need for affordable housing. If no actions are taken, the existing dilapidated mobile home unit would remain and the accessibility to safe affordable housing would be lost. Federal HOME funds would not be taken advantage of to create needed affordable housing.

Step 4. (24 CFR §55.20 (d)) Impacts of the proposed action

A. For projects at sites adjacent to a SFHA or wetland, will the action adversely affect the floodplain or wetland?

No, based on the following determination:

See Section B, below.

_____ Yes, based on the following determination:

B. For actions within a wetland (55.20(d)(2)) or SFHA (55.20(d)(1)), assessment of impacts. Include reference to 55.20(d)(1) & (2) factors, as relevant:

In accordance with Section 5 of Executive Order 11990, HCR has reviewed the proposed project by considering factors relevant to the wetlands impacted.

The New York State Department of Environmental Conservation Environmental Resource Mapper and Environmental Assessment Form Mapper were consulted, and no state designated wetlands were identified on the site. The U.S. Fish and Wildlife Service National Wetlands Inventory was checked and due to the proximity of the site to a federally designated Riverine and Freshwater Forested/Shrub Wetland, a wetland

DOCUMENTED RECORD OF COMPLIANCE

24 CFR PART 55, 8-Step

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delineation was obtained. A Wetland Delineation Report, dated September 20, 2024, conducted by Delta Engineers, Architects, and Surveyors identified two federally designated Palustrine Emergent wetlands on site, Wetland A and Wetland B. Wetland A was identified as a small, 0.10-acre, hillslope scrub shrub wetland dominated by pussy willow (*Salix discolor*), black willow (*Salix nigra*), canary grass (*Phalaris arundinacea*), and sensitive fern (*Onoclea sensibilis*). The wetland hydrology of Wetland A was indicated by Saturation (A3), Presence of Reduced Iron (C4), Drainage Patterns (B6), Geomorphic Position (D2), Microtopographic Relief (D4) and FAC-Neutral Test (D5). Bath channery silt loam soil was identified in Wetland A and soil sampled displayed the depleted matrix (F3) indicator as a Hydric Soil Indicator. Wetland B was identified as a small, 0.017-acre, emergent wetland dominated by yellow iris (*Iris pseudacorus*). The wetland hydrology of Wetland B was indicated by Geomorphic Position (D2), Microtopographic Relief (D4) and FAC-Neutral Test (D5). Volusia channery silt loam soils were identified in Wetland B and soil samples displayed the depleted matrix (F3) indicator as Hydric Soil Indicator. The Wetland Delineation, prepared by Delta Engineers, Architects, and Surveyors, determined that the project activities will not disturb, encroach, or alter the delineated wetlands on-site.

Step 5. (24 CFR §55.20 (e)) Minimization of adverse impacts and mitigation measures

This project is for the replacement of an existing single mobile home unit with a new upgraded unit. Project activities will include the demolition of the existing mobile home unit, excavation, site prep and grading, the installation of a frost protected foundation pad, and the installation of the new mobile home unit. The mobile home replacement will occur in the same footprint as the existing mobile home unit and the existing well and septic will be used. The mobile home replacement will occur in the same footprint and project activities will be focused solely to the mobile home footprint. The footprint of the existing mobile home unit is approximately 2,000 square feet. Due to the size of the project and the minimal amount of earthwork needed to complete this project, the wetlands will not be impacted by stormwater runoff. A SWPPP is not required, as the project will not be disturbing more than 1-acre of land.

Step 6. (24 CFR §55.20 (f)) Re-evaluation of the alternatives

A. Is the proposed action still appropriate and feasible at this site?

Yes

No

If no, can the action be altered to make non-floodplain or non-wetland sites practical?

Yes, explain.

No

Step 7. (24 CFR §55.20 (g)) Findings and public explanation

Date published: October 29, 2024

End of comment period: November 6, 2024

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Comments received? _____ Yes _____ No

8. (24 CFR §55.20 (h)) Implement action

_____ Approval recommended.

_____ Approval recommended with mitigation, describe:

_____ Action rejected.

Prepared by: Cody Sargood



Signature: _____ Date: October 29, 2024