

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST
RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED
ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

October 8, 2015

State of Connecticut Department of Housing (DOH)
505 Hudson Street Hartford, CT 06106

These notices shall satisfy three separate but related procedural requirements.

REQUEST FOR RELEASE OF FUNDS:

On or about October 26, 2015 the DOH will submit a request to U.S. Department of Housing and Urban Development (HUD) for the release of funds from the Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program under Title I of the Housing and Community Development Act of 1974 (PL 93-383). These funds will be used to support a project known as the Sheffield Brook Outfall Resiliency Project located on approximately 0.1 acre of land bounded by Sheffield Brook, Long Island Sound, and residential properties on Hartung Place and Sea Spray Road in Old Lyme, CT. The proposed project includes the replacement of the existing 36-inch culvert under the beach with two 36-inch culverts, either by the addition of a second culvert adjacent to the existing culvert or replacement of the existing culvert along with installation of a new 36-inch culvert, and the construction of tide gates along the culverts to prevent storm tides from flooding into the culverts and the upstream brook and private properties. The culverts may be extended to the length of the existing groin. If so, they will likely be armored for outlet protection. The estimated funds that will be requested are \$300,000 in CDBG-DR funds; total estimated project cost is \$400,000.

FINDING OF NO SIGNIFICANT IMPACT:

The DOH has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at DOH, 505 Hudson Street, Hartford, CT and may be examined or copied weekdays between 8:30 A.M. and 4:30 P.M.

PUBLIC COMMENTS:

Any individual, group, or agency disagreeing with this determination or wishing to comment on either the project or the intent to request a release of funds may submit written comments on the to the State of Connecticut Department of Housing, Attn. Hermia Delaire, Program Manager Community Development Block Grant - Disaster Recovery Program, 505 Hudson Street, Hartford, CT 06106. All comments received by October 25, 2015 will be considered by DOH prior to submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS:

DOH certifies to HUD that Hermia Delaire in her capacity as Program Manager, Community Development Block Grant - Disaster Recovery 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 DOH to use CDBG-DR Program funds.

OBJECTIONS TO RELEASE OF FUNDS:

HUD will accept objections to its release of CDBG-DR funds and DOH's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if it is on one of the following bases: (a) the certification was not executed by the Certifying Officer of the DOH; (b) DOH 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 CDBG-DR 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). Objections to HUD's release of CDBG-DR funds shall be addressed to the HUD Hartford Office at One Corporate Center, 19th Floor, Hartford, CT 06103. Potential objectors should contact HUD to verify the actual last day of the objection period.

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITIES IN A 100-YEAR FLOODPLAIN:

This is to give notice that DOH has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, for the CDBG-DR State of Connecticut Disaster Recovery Program activities under Title I of the Housing and Community Development Act of 1974 (PL 93-383) to determine the potential effect that its activity in the floodplain will have on the human environment.

The proposed project is located at on approximately 0.1 acre of land bounded by Sheffield Brook, Long Island Sound, and residential properties on Hartung Place and Sea Spray Road in Old Lyme, CT. The proposed project includes the replacement of the existing 36-inch culvert under the beach with two 36-inch culverts, either by the addition of a second culvert adjacent to the existing culvert or replacement of the existing culvert along with installation of a new 36-inch culvert, and the construction of tide gates along the culverts to prevent storm tides from flooding into the culverts and the upstream brook and private properties. The culverts may be extended to the length of the existing groin. The project site is located within a 100-year flood zone according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map FM09011C0467J. The total floodplain area that will be affected by the proposed project is 0.1 acre.

DOH has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: (1) Conduct the project within a floodplain (Proposed Action) - The proposed improvements within the 100-year floodplain include the addition of another 36-inch culvert, possible in-kind replacement of the existing 36-inch pipe, and installation of tide gates. The Sheffield Brook culvert outlet discharges into Long Island Sound. Given the location of Sheffield Brook within the coastal boundary, the proposed activities would be conducted completely within the 100-year floodplain. No alternative site locations are available in the area of Sheffield Brook that would meet the purpose and need for the project and

result in substantially different or reduced potential for environmental effects. The final design will be selected to avoid or minimize environmental impacts while reducing the flooding potential of Sheffield Brook and the upstream properties; **(2)** Locations outside the floodplain - Conducting the project activities in a location outside the floodplain was not an option given the location of Sheffield Brook within the coastal boundary and the associated culvert discharging into Long Island Sound. In order to address the project purpose of improving resiliency to coastal flooding, the project must take place within the floodplain; **(3)** A determination not to approve any action (No Action Alternative) - Under the "No-Action" Alternative, the proposed culvert improvements and tide gate installations would not occur. The existing under-sized 36-inch culvert would remain in place and the flooding of Sheffield Brook and upstream properties and shoaling at the culvert outlet would continue. The No-Action Alternative would therefore not meet the basic project purpose of increasing the system's capacity and reducing the potential for the flooding of Sheffield Brook and the neighboring upstream properties.

DOH has reevaluated the alternatives to building in the wetland/floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, 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. This activity will have no significant impact on the environment for the following reasons: The proposed project will have minimal impacts because no residential structures are proposed within the floodplain. Proposed activities will have a direct beneficial impact on the floodplain by preventing storm tides from flooding into the culvert and the upstream brook and private properties, and by controlling future shoaling at the culvert discharge, allowing the culverts to properly drain. Proposed activities are underground, will not significantly change existing grades, and will not significantly alter existing land cover. Activities occurring in resource areas will be subject to permitting under the Tidal Wetlands Act (CGS 22a-28 – 22a-35, inclusive) including Section 404 Connecticut General Permit – Category II from the U.S. Army Corps of Engineers (USACE), 401 Water Quality Certification; Structures, Dredge and Fill Permit; and Flood Management Certification from CTDEEP, as well as under the Inland Wetlands and Watercourses Commission of the Town of Old Lyme. The permitting process will identify any necessary mitigation measures to reduce or avoid potential impacts.

There are three primary purposes for this notice. First, people who may be affected by activities in wetlands/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 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 wetlands/floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by the DOH on or before October 17, 2015 DOH encourages electronic submittal of comments to CT.Housing.Plans@ct.gov. In the alternative comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant - Disaster Recovery Program, 505 Hudson Street, 2nd floor, Hartford, CT 06106. Additional project information is contained in the

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Evonne M. Klein, Commissioner, State of Connecticut Department of Housing