

Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain

To: City of Batavia, Genesee County Department of Health, New York State Department of Environmental Conservation, New York State Department of Health, New York State Department of State, New York State Department of Transportation, New York State Historic Preservation Office, US Army Corp of Engineers, US Environmental Protection Agency, US Fish and Wildlife Service, US Department of Agriculture, US Forest Service, National Park Service.

This is to give notice that **Town of Batavia** has conducted an evaluation as required by Executive Order 11988 and/or 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activity in the floodplain and wetland will have on the human environment for the **Town of Batavia King's Plaza Sewer Pump Station** project under CDBG project number **83PR103-21**. **The proposed project consists of replacement of 1,600 LF of sanitary sewer main within the same trench along West Main Street Road (N.Y.S Route 5) from Batavia West Main pump station to a manhole primarily in the right of way in the Town of Batavia, NY. The project also includes two directional drills under Tonawanda Creek and approximately 1,600 LF of new sanitary sewer main across permanent easements mostly in the back yards of residents on South Main Street in the City of Batavia. Improvements to the Kings Plaza Pump Station located at 4150 West Main Street in the City of Batavia includes: new pumps, electrical generator, automatic transfer switch, power, and control panels as well as new sewage measuring devices. The total acreage that is potentially disturbed is approximately .9 acres. The area of the project that is within the 100-year flood plain is .67 acres and .04 acres are within the 500-year floodplain. Habit for the Monarch butterfly could potentially be impacted. The purpose of the project is to more efficiently and reliable convey raw sewage to the Village of Batavia Waste Water Treatment plant.**

The Town of Batavia has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: The town has considered not undertaking this project. The impact from a failure of the existing system is much worse than the impact of this project. All appropriate design standards have been met for the construction that is to take place in the floodplain. The project is in compliance with all state and local floodplain protection procedures.

The Town of Batavia has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and/or 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. This activity will have no significant impact of the environment for the following reason:

All of the construction is to take place inside of a building or underground. Any other critical infrastructure will be raised 2 feet above the 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 and request for public comment about **floodplains** 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 **floodplains**, it must inform those who may be put at greater or continued risk.

Written comments must be received by **The Town of Batavia** at the following address on or before **August 26, 2022 Town of Batavia, 3833 West Main Street Road, Batavia, NY 14020** and **585-343-1729**, Attention: **Steve Mountain, Town Engineer**. A full description of the project may also be reviewed from **8:30 am to 4:30 pm** at **address is same as above**. Comments may also be submitted via email at smountain@townofbatavia.com.

Date: 8/18/2022