

MEMORANDUM

DATE: October 20, 2022

TO: Ande Banks, Interim City Manager, City of Harrisonburg
CDBG Files, North End Gateway Art Installation

FROM: Kristin McCombe, CDBG Coordinator

SUBJECT: North End Gateway Art Installation
8-Step Process Finding Memo

The subject property was determined to be located in the 100-year floodplain. See the FEMA floodplain FIRM map copy in the CDBG Environmental files. As a result of the finding and due to the desire of the Subrecipient to install an art installation at this site, the HUD 8-step process was conducted.

Step 1. Determine whether the proposed action is in the 100 and/or 500-year floodplain.

This action is located within the 100 year flood plain (AE Zone), as indicated by the FEMA Firmette that is attached to this document. This project, as new construction of an art installation, does not meet the exceptions listed at 24 CFR 55.12, and therefore requires this 8-step analysis.

Step 2. Notify the public of a proposal to consider an action in the 100 and/or 500 -year floodplain and involve the public in the decision making process. A *Notice of Early Public Review* was published in the Daily News Record on October 25, 2022. The notice described the action under consideration and listed the City address to receive public comments. A 15 day comment period was established in the Notice for the receipt of public comments by the City of Harrisonburg. Further, letters describing the proposed action were sent to five public agencies, thought by this Office, to be involved parties. See the project's CDBG Environmental file for a listing of the agencies contacted. No replies to the comment request have been submitted from either the at-large public or any of the contacted public agencies.

Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain. The alternatives considered included a determination not to consider any action, a determination to seek alternative sites, and consideration of feasible technological alternatives, hazard reduction methods, related mitigation costs, and environmental impacts.

The purpose of this analysis was to locate a site in which traffic (pedestrian, vehicular, and bicycle) could easily view a piece of public art that delineates the arrival gateway to the downtown area of Harrisonburg.

Following are the no-build alternative and other sites were investigated for their suitability to meet the above stated goals:

North Main Street, as it approached Noll Dr., serves as the major passageway into the downtown area of the city of Harrisonburg from the North. This is currently a commercial and industrial area, with little visual appeal. This is the only street from the north end of the city that brings traffic directly downtown, and as it moves into a one-way location at this point, this is the only location that serves as a gateway entrance. There is no other feasible location for this art installation that is not in the floodplain of Black's Run. A No-build alternative would mean that there would not be a public art installation that marks out the entrance to Harrisonburg's Downtown.

Other comparable sites are located on streets that are not as convenient or busy. Furthermore, these streets also enter into the Black's Run floodplain, therefore not providing an improved alternative. Another alternative that may exist is the re-routing of Blacks Run Stream. However, this is not a practicable alternative due to the related hazards, costs, and potential environmental impacts.

Step 4. Identify the potential direct and indirect impacts associated with the occupancy or modification of the floodplain. A direct impact of this art installation is that improvements could be exposed to flood events. However, the base of the installation will be passive in nature and built in such a way that it will not significantly impede the flow of floodwaters.

Step 5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts within the floodplain and to restore and preserve its natural and beneficial values. The installation base will be passive in nature and built in such a way that it will not impede the flow of floodwaters. Furthermore, it will not pose any greater risk than the improvements that are already in place in the area.

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 are practicable in light of the information gained in Steps 4 and 5.

The alternative of no action is determined to be impracticable. A No-build alternative would mean that this project would not be able to be installed, and it will have a minimal effect on any potential floodwaters. In fact, its construction could even slightly slow the flow of floodwaters in the area, providing a benefit.

There are no suitable alternative sites. Other comparable sites are located on streets that are not as convenient or busy. Furthermore, these streets also enter into the Black's Run floodplain, therefore not providing an improved alternative.

Another alternative that may exist is the re-routing of Blacks Run Stream. However, this is not a practicable alternative due to the related hazards, costs, and potential environmental impacts.

Step 7. The reevaluation in Step 6 pointed strongly to a determination of no practicable alternative to locating in the floodplain. A direct impact of the location of this project in a floodplain is that improvements could be exposed to flood events. However, this project will be passive in nature and built in such a way that it will not impede the flow of floodwaters. Furthermore, this project will not pose any greater risk than the facilities that are already in place.

On November 13, 2022, a *Notice of Findings and Public Explanation* was published in the local *Daily News Record*. The Notice explained the outcome of the 8-Step decision making process and offered a 7-day comment period to the public and interested parties. In an effort to notify interested parties of the proposed action in the floodplain, letters were sent to five public agencies thought to share an interest in the proposal. No comments were received as a result of the publication. Please see the North End Gateway Art CDBG Environmental file for a listing of the agencies contacted.

Step 8. Upon the completion of the decision-making process in Steps 1 through 7, implement the proposed action. The most economically feasible and environmentally friendly action is determined to be to construct the art installation as planned. The structure will be passive in nature and built in such a way that it will not impede the flow of floodwaters. Furthermore, the structure will not pose any greater risk than those that are already in place. Flood insurance is usually not available for projects of this nature located in floodplains.

After the appropriate public comment periods and upon issuing a Request for and receiving a Release of Funds from HUD for this project, the project will commence.