Appendix L
Eight-Step Planning Process
for Floodplains and Wetlands
Appendix L: Eight-Step Decision Making Process

Eight-Step Decision Making Process
Executive Order 11988: Floodplain Management
Executive Order 11990: Wetlands Protection
East Side Coastal Resiliency (ESCR) project – New York City, NY
New York City Office of Management and Budget (OMB)

This decision making process addresses the requirements of E.O. 11988 and 11990, as provided by 24 CFR Part 55.20 and contains eight steps, including public notices and an examination of practicable alternatives. This document pertains to proposed project activities in the 100-year floodplain (AE Zone) and mapped wetlands, as identified on the Federal Emergency Management Agency (FEMA) preliminary (2015) Flood Insurance Rate Maps (FIRMs) and New York State Department of Environmental Conservation (NYSDEC) 1974 Tidal Wetland Mapping (Map ID 586_506 and 586_508), respectively.

Step 1. Determine whether the proposed action is located in a 100-year floodplain (or a 500-year floodplain for a Critical Action) or results in new construction in a wetland. If the proposed action would not be conducted in one of those locations, then no further compliance with this part is required.

According to the FEMA Digital Flood Insurance Rate Map (DFIRM) ID 360497, the proposed project is located within the 100-year floodplain, designated as Zone AE, as well as the 500-year floodplain, designated as Zone X. The Base Flood Elevation (BFE) is 10 feet (NGVD 1929). Figure 1.0-5 of the DEIS illustrates the proposed project area in relation to the 100- and 500-year floodplains.

The NYSDEC 1974 Tidal Wetland Mapping (Map ID 586_506 and 586_508) indicates that certain project elements – relocation of existing embayments, installation of support structures for a new shared used flyover bridge, installation of cofferdams for outfall construction, and temporary placement of mooring spuds for construction barges – would be located within Littoral Zone, a NYSDEC tidal wetland. Additionally, the East River is mapped as estuarine subtidal wetlands with an unconsolidated bottom (E1UBL) on United States Fish and Wildlife Service National Wetlands Inventory (NWI) maps.

Step 2. Notify the public at the earliest possible time of a proposal to consider new construction or substantial improvement actions in the 100-year floodplain (or in the 500-year floodplain for a Critical Action), and thus involve the affected and interested public in the decision making process.
A 15-day “Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain” was published in eight City-wide and local newspapers on February 5, 2016, and complied with the requirements for public comment per 24 CFR 55.20(b)(2). Published in English, Chinese, Spanish, and Russian languages, this notice served to inform and update interested agencies, groups, and individuals about the proposed project activities within the floodplain, thus engaging the public in the decision-making process. This notice included a description of the proposed project, and invited the public to provide comments by February 22, 2016. The notice was also posted to OMB’s website for review (http://www1.nyc.gov/sitre/cdbgdr/documents/environmental-records.page). No comments on this notice were received.

Since the publication of the original notice, the design of the proposed project has advanced, and the City has identified a project alternative, which has been selected as the City’s Preferred Alternative. This alternative involves in-water work to a greater extent than previously expected, and therefore, a greater potential to impact wetlands. An “Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland” was published on February 22, 2019, in the aforementioned papers, and an additional paper, the Brooklyn Daily Eagle, in Southern Brooklyn. Multiple public comments were received on this revised notice, however, these comments were related to the nature of the proposed project itself, rather than the content of the notice. All public comments on the potential impacts of the proposed project will be addressed and incorporated into the Final Environmental Impact Statement (FEIS).

**Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain (or the 500-year floodplain for a Critical Action).**

According to 24 CFR Part 55.20 (c), alternatives considered include:

1. No Action Alternative - No new flood protection.
2. Proposed Action Alternatives – Flood Protection System with a Raised East River Park (Preferred Alternative/Alternative 4); Flood Protection on the West Side of East River Park – Baseline (Alternative 2); Flood Protection System on the West Side of East River Park – Enhanced Park & Access (Alternative 3); Flood Protection System East of FDR Drive (Alternative 5).

As noted in Chapter 2.0, “Project Alternatives” of the DEIS, four “With Action” alternatives (i.e., all alternatives except the No Action alternative) have been advanced. These four With Action Alternatives were identified as a result of a design and planning process that considered the four factors noted above (natural environment, social concerns, economic aspects, and legal constraints), among other considerations as discussed in Chapter 1.0, “Purpose and Need” of the DEIS.

**No Action Alternative** – The project purpose and need would not be met with the No Action alternative. The No Action alternative assumes that no new comprehensive coastal protection system is installed in the proposed project area. In the absence of this system, the existing neighborhoods within the protected area would remain at risk to coastal flooding during design storm events. Independent of the proposed project, there would be limited improvements to open space resources and access to East River Park and the East River waterfront from other planned projects or targeted resiliency projects.

**Proposed Action Alternatives** –
The Flood Protection System with a Raised East River Park Alternative (Preferred Alternative) proposes to move the line of flood protection further into East River Park, thereby protecting both the community and the park from design storm events, as well as increased tidal inundation resulting from sea level rise. The Preferred Alternative would raise the majority of East River Park. This plan would reduce the length of wall between the community and the waterfront to provide for enhanced neighborhood connectivity and integration. Between the park amphitheater and East 13th Street, the park would be raised by approximately eight feet to meet the design flood elevation criteria, with the floodwall installed below-grade. The park’s underground water and drainage infrastructure, bulkhead and esplanade, and existing park structures and recreational features, including the amphitheater, track facility and tennis house, would be reconstructed as part of the raised park. Relocation of two existing embayments along the East River Park esplanade is also proposed under this plan to allow for siting of active recreation fields within the park and to facilitate direct connection to the water. This alternative would include drainage components to reduce the risk of interior flooding and construction of the foundations for the shared-use flyover bridge to address the narrowed pathway (pinch point) near the Con Edison facility between East 13th Street and East 15th Street, substantially improving the City’s greenway network and north-south connectivity in the project area. The Preferred Alternative would also include reconstruction of 10 outfalls located along the park shoreline that discharge to the East River, as well as wastewater and water supply piping and associated features such as manholes and regulators.

The Flood Protection System on the West Side of East River Park – Baseline Alternative (Alternative 2) would provide flood protection using a combination of floodwalls, levees, and closure structures (i.e., deployable gates) from Montgomery Street to East 25th Street. As the line of protection would generally be located on the western side of East River Park in a portion of the project area, the park would not be protected from the design storm event under this alternative. The neighborhoods to the west of the line of protection would be protected from the design storm event under this alternative. However, under this alternative, there would be more extensive use of berms and other earthwork in association with the flood protection along the FDR Drive to provide for more integrated access, soften the visual effect of the floodwall on park users, and introduce new types of park experience. The landscape would generally gradually slope down from high points along the FDR Drive towards the existing at-grade esplanade at the water’s edge. Due to the extent of the construction of the flood protection system, this alternative would include a more extensive reconfiguration and reconstruction of the bulk of East River Park and its programming, including landscapes, recreational fields, playgrounds, and amenities. Even with these East River Park enhancements, the park itself would not be protected from the design storm event under this alternative. As proposed in Alternative 2, this alternative would include drainage components to reduce the risk of interior flooding and the shared-use flyover bridge to address the Con Edison pinch point.

The Flood Protection System on the West Side of East River Park – Enhanced Park & Access Alternative (Alternative 3) provides flood protection using a combination of floodwalls, levees, and closure structures. As with Alternative 2, the line of protection would generally be located on the western side of East River Park in a portion of the project area, and the neighborhoods to the west of this line would be protected from the design storm event under this alternative. However, under this alternative, there would be more extensive use of berms and other earthwork in association with the flood protection along the FDR Drive to provide for more integrated access, soften the visual effect of the floodwall on park users, and introduce new types of park experience. The landscape would generally gradually slope down from high points along the FDR Drive towards the existing at-grade esplanade at the water’s edge. Due to the extent of the construction of the flood protection system, this alternative would include a more extensive reconfiguration and reconstruction of the bulk of East River Park and its programming, including landscapes, recreational fields, playgrounds, and amenities. Even with these East River Park enhancements, the park itself would not be protected from the design storm event under this alternative. As proposed in Alternative 2, this alternative would include drainage components to reduce the risk of interior flooding and the shared-use flyover bridge to address the Con Edison pinch point.
The Flood Protection System East of FDR Drive (Alternative 5) proposes a flood protection alignment similar to the Preferred Alternative, except for the approach between East 13th Street and Avenue C. This alternative would raise the northbound lanes of the FDR Drive in this area by approximately six feet to meet the design flood elevation, then connect to closure structures at the south end of Stuyvesant Cove Park. This alternative would include drainage components to reduce the risk of interior flooding and the construction of the shared-use flyover bridge to address the Con Edison pinch point.

Step 4. Identify the potential direct and indirect impacts associated with the occupancy or modification of the floodplain (or 500-year floodplain for a Critical Action).

The Preferred Alternative includes the reconstruction of East River Park as well as the existing water and sewer infrastructure within the park. The Preferred Alternative would raise the majority of East River Park by approximately eight feet and would install a floodwall below-grade to meet the design flood elevation criteria. Therefore, there would be an elevation change in the proposed project area as a result of implementation of the Preferred Alternative.

The floodplain in the proposed project area is located in an urban area that is heavily developed; installation of the proposed project is necessary for the protection of the adjacent communities and the East River Park from design storm events. During construction, there would be temporary disturbance of the SFHA due to excavation, grading, and storage of construction materials and equipment. Once implemented, the flood protection system is designed to withstand storm surge velocities and wave action for the 100-year-storm event assuming sea level rise to the 2050s. The Preferred Alternative would therefore minimize the potential effects that could be expected to occur within the floodplain. No permanent commercial or residential structures would be introduced to the project area as part of the Preferred Alternative.

The Preferred Alternative would result in approximately 24,085 square feet of permanent effects to NYSDEC-regulated tidal wetlands associated with construction of support shafts and foundations for a shared-use flyover bridge, as well as filling of two existing embayments to accommodate park programming. The embayments would be relocated elsewhere along the shoreline of East River Park and additional wetland restoration to mitigate for permanent effects would be implemented offsite or wetland mitigation credits purchased from a wetland mitigation bank operated by New York City’s Economic Development Corporation (EDC), in consultation with New York State Department of Environmental Conservation (NYSDEC) and the U.S. Army Corps of Engineers (USACE). Overall, the study area is already highly developed, and the project area is already largely designated parkland and City right-of-way and would remain as such following implementation, and the project would not encourage new development within the floodplain or wetlands.

Step 5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts within the floodplain (including the 500-year floodplain for a Critical Action) and to restore and preserve its natural and beneficial values. All critical actions in the 500-year floodplain shall be designed and built at or above the 100-year floodplain (in the case of new construction) and modified to include (1) Preparation of and participation in an early warning system; (2) An emergency
evacuation and relocation plan; (3) Identification of evacuation route(s) out of the 500-year floodplain; and (4) Identification marks of past or estimated flood levels on all structures.

To function as a flood protection system, the proposed project must be sited and constructed within the floodplain. Disturbance to the floodplain during construction would be temporary. Once implemented, the flood protection system is designed to withstand storm surge velocities and wave action for the 100-year-storm event assuming sea level rise to the 2050s. The Preferred Alternative would therefore minimize the potential effects that could be expected to occur within the floodplain. No permanent commercial or residential structures would be introduced to the project area as part of the Preferred Alternative.

In addition, to meet the stated goals for protecting, improving, and enhancing access to recreational resources, implementation of the Preferred Alternative will necessarily result in some temporary and permanent effects to tidal wetlands. The Preferred Alternative design will seek to reduce effects to wetlands to the maximum extent practicable while still meeting the goals of the proposed project. The Preferred Alternative would result in approximately 24,085 square feet of permanent effects to NYSDEC-regulated tidal wetlands. The majority of these effects are the result of filling existing embayments in order to accommodate critical active space amenities within East River Park. New embayments of comparable size will be installed along East River Park shoreline. Further, permanent tidal wetland effects would be mitigated at a minimum 2:1 ratio as per NYSDEC standards. Some of this mitigation would be in the form of replacement in kind of existing embayments within the project area and the rest would be accomplished through the purchase of tidal wetland mitigation bank credits1 or with off-site tidal wetland restoration or creation at a location within the same watershed as determined by NYSDEC, OMB, and other involved New York City agencies. Therefore, the natural and beneficial values of wetlands affected by the Preferred Alternative would be restored through mitigation.

**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 (paragraph (c)) of this section are practicable in light of the information gained in Steps 4 and 5 (paragraphs (d) and (e)) of this section.**

It has been determined that the Preferred Alternative would provide flood protection for vulnerable populations and critical city infrastructure and amenities located within the floodplain, including East River Park and existing neighborhoods adjacent to the park, which are all currently at risk to coastal flooding during design storm events. While the Preferred Alternative would change the elevation of the floodplain in the vicinity of the proposed project, it would not change the occupancy of the floodplain and would not have effects on flood velocities upstream or downstream.

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1 The New York City Economic Development Corporation (EDC) operates the Saw Mill Creek Wetland in Staten Island, NY, where credits may be purchased to mitigate permanent impacts to tidal wetlands. As the proposed project is within the Primary Service Area for the mitigation bank, this option is being explored to fulfill the tidal wetland mitigation requirements.
The Preferred Alternative would result in a permanent loss of approximately 24,085 square feet of littoral zone tidal wetland habitat. The majority of these effects are the result of filling existing embayments in order to accommodate critical active space amenities within East River Park. These embayments will be replaced in kind, or larger, within the project area. In addition, these elements would not affect the tidal exchange or tidal patterns in the study area. All adverse effects to NYSDEC and USACE regulated tidal wetlands would be mitigated for in accordance with all NYSDEC and USACE permit conditions. Therefore, while there would be adverse effects to regulated tidal wetlands resulting from construction of the proposed project, the Preferred Alternative would not significantly adversely affect tidal wetland resources in the area. Furthermore, the project area is already highly developed, and the implementation of the Preferred Alternative would not encourage new development within the floodplain or wetlands in the proposed project area.

**Step 7. If the reevaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain (or the 500-year floodplain for a Critical Action), publish a final notice.**

It is our determination that there is no practicable alternative to locating the proposed project in the floodplain and within or adjacent to wetlands. A final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetlands will be published in accordance with 24 CFR Part 55 for a minimum 7-day comment period. The notice shall be published in the nine newspapers mentioned in Step 2, in English, Chinese, Spanish, and Russian languages. This notice will also be published in three additional papers which are local to the project area. The notice shall state the reasons why the project must be located in a 100-year floodplain and mapped wetlands, provide a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain and wetland values. All comments received during the comment period will be responded to and fully addressed prior to funds being committed to the proposed project, in compliance with Executive Order 11988, Executive Order 11990, and 24 CFR Part 55.

**Step 8. Upon completion of the decision making process in Steps 1 through 7, implement the proposed action. There is a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented.**

The New York City Department of Design and Construction (DDC), which is the primary City agency that will oversee implementation and construction of the proposed project, will review the final design plans and will to ensure compliance with all applicable federal laws, executive orders, and regulations, as well as state and local laws, regulations, codes and standards prior to and throughout project construction. DDC and its consultants will obtain all required federal, state, and local building and site development permits, such as a State Pollutant Discharge Elimination System (SPDES) permit and a Joint Permit Application for impacts to jurisdictional waters (i.e., tidal wetlands) to preserve the environment, and to minimize risk and harm to life and property. As noted above, effects to tidal wetlands will be mitigated for in compliance with all USACE and NYSDEC requirements.
New York City Office of Management and Budget (OMB)
New York City Department of Parks and Recreation

Community Development Block Grant – Disaster Recovery (CDBG-DR)
East Side Coastal Resiliency (ESCR) Project

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland

To: All interested Agencies, Groups, and Individuals

This is to give notice that the City of New York (the City) is proposing to undertake activities within both the 100-year floodplain and a wetland, relating to the U.S. Department of Housing and Urban Development’s (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. President Obama signed the “Disaster Relief Appropriations Act, 2013” (Public Law 113-2) into law on January 29, 2013. Among other appropriations, the Act included $16 billion in CDBG-DR funds for “necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy.” Pursuant to 24 CFR Part 58, the City, as the subrecipient of the grant funds, has identified its Office of Management and Budget (OMB) as the Responsible Entity for maintaining the CDBG-DR Environmental Review Record. This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management, and by Section 2(b) of EO 11990 for the Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a floodplain or wetland.

Since the proposed project is federally funded and requires approvals from various City, State and Federal agencies, an Environmental Impact Statement (EIS) will be prepared pursuant to the National Environmental Policy Act (NEPA) to examine the potential environmental and social impacts of the project. HUD has allocated CDBG-DR funds, which would be dispersed through OMB as the Responsible Entity for maintaining the CDBG-DR Environmental Review Record. This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management, and by Section 2(b) of EO 11990 for the Protection of Wetlands and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a floodplain or wetland.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and/or wetlands, 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. Commenters are encouraged to offer alternate methods to serve the same project purpose and methods to minimize and mitigate impacts. The dissemination of information and request for public comment about floodplains and 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 and wetlands, it must inform those who may be put at greater or continued risk.

In October 2012, Hurricane Sandy made landfall, greatly impacting the east side of Manhattan between East 42nd Street and the Brooklyn Bridge and highlighting existing deficiencies in the City’s ability to adequately protect vulnerable populations and critical infrastructure during major storm events. Hurricane Sandy, a presidentially declared disaster, caused extensive inland flooding, resulting in significant damages to residential and commercial property, transportation, power, parklands including East River Park, and water and sewer infrastructure, which in turn affected medical and other critical services. To address the vulnerability of this area, the City is proposing to install and operate a flood protection system, along a portion of the east side of Manhattan between Montgomery Street and East 25th Street as...
part of the East Side Coastal Resiliency (ESCR) Project. This flood protection system would be primarily integrated to City parkland and streets while reducing coastal flood hazards and protecting a diverse and vulnerable residential population and safeguarding critical housing, energy, infrastructure, recreational, natural and transportation systems. It is also an objective of the proposed project to enhance access to waterfront parkland, including East River Park and Stuyvesant Cove Park. An early floodplain notice for the ESCR Project was previously published on February 5, 2016 and public comments were accepted through February 22, 2016.

Since the publication of the original notice, the design of the proposed project has advanced, and the City has identified a project alternative, which has been selected as the City’s Preferred Alternative. This Preferred Alternative proposes to situate the line of flood protection in East River Park, thereby protecting both the community and the park from design storm events as well as increased tidal inundation resulting from sea level rise. The Preferred Alternative would raise East River Park between the amphitheater and East 13th Street by approximately eight-feet and install the floodwall below-grade to meet the design flood elevation criteria. This plan would reduce the length of wall between the community and the waterfront to provide for enhanced neighborhood connectivity and integration. In addition to the Delancey Street and East 10th Street Bridges, the Corlears Hook Bridge would be reconstructed to be universally accessible under the modified design. The park’s underground water and sewer infrastructure, bulkhead and esplanade, and additional existing park structures and recreational features, including the amphitheater, track facility, and tennis house, would also be reconstructed. Relocation of two existing embayments along the East River Park esplanade is also proposed under this plan to allow for siting of active recreation fields within the park. In addition, a shared-use flyover bridge would be built cantilevered over the northbound FDR Drive to address the narrowed pathway near the Con Edison facility between East 13th and East 15th Streets, thus providing a more accessible connection between East River Park and Captain Patrick J. Brown Walk. The design for the proposed project was conceptualized to be between Montgomery and Cherry Streets and between East 13th and East 23rd Streets. However, as design for this compartment advanced, the project area was extended north to East 25th Street and included the historic Asser Levy Recreational Center. Assuming all approvals are issued, project construction is anticipated to commence in 2020.

The area that would be protected under the ESCR Project includes land within the Federal Emergency Management Agency (FEMA)-designated special flood hazard area (SFHA) for the 100-year flood event. The East River is mapped as estuarine subtidal wetlands with an unconsolidated bottom (E1UBL) on United States Fish and Wildlife Service National Wetlands Inventory (NWI) maps. The project area also includes Littoral Zone tidal wetland regulated by the New York State Department of Environmental Conservation (NYSDEC) and wetlands that are regulated by the United States Army Corps of Engineers as Waters of the United States. In addition, there are three areas classified by NYSDEC as coastal shoals, bars, and mudflats tidal wetlands—located where Pier 42 meets East River Park, at the southern extent of Stuyvesant Cove Park, and approximately at the middle of Stuyvesant Cove Park.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the construction of the proposed project in a floodplain and / or wetland. The City is interested in alternatives and public perceptions of possible adverse impacts that could result from the project as well as potential mitigation measures. Maps of the proposed project area, schematic design plans, and maps of the proposed location of activities within a 100-year floodplain and wetland are available at: https://www1.nyc.gov/site/cdbgdr/documents/environmental-records.page

Written comments should be sent to OMB at 255 Greenwich Street, 8th Floor, New York, New York 10007, Attention: Calvin Johnson, Assistant Director CDBG-DR or via email at CDBGDR-Enviro@omb.nyc.gov. The minimum 15 calendar day comment period will begin the day after
publication and end on the 16th day after publication. Such comments should be received by OMB on or before March 11, 2019.

City of New York: Bill de Blasio, Mayor
City of New York, Office of Management and Budget, Melanie Hartzog, Director

Date: February 22, 2019
Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the El Diario newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 26th day of February 2019

Donna Perez
Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
STATE OF NEW YORK
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Newsday newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 20th day of February 2019

Donna Perez
Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
East Side Coastal Resiliency (ESCR) Project

NOTICE OF FORMATION of SHI LLC. Arts of Org filed with the Secretary of State of New York (SSNY) on 1/15/19. Office: Queens County Sheriff's Office- 210 Joralemon Street, Room 909, Brooklyn NY 11201 in the county of Queens, City and State of New York.

To: All interested Agencies, Groups, and Individuals

This is to give notice that the City of New York (the City) is proposing to undertake activities within both the 100-year Floodplain and Wetland areas for the Department of Citywide Administrative Services, Office of Emergency Management, Citywide Floodplain Management and Disasters Recovery (CDBG-DR) program. President Obama signed the “Disaster Relief Appropriations Act, 2013” (Public Law 113-2) on January 29, 2013. Among other appropriations, the Act included $16 billion in CDBG-DR funds for disaster relief, long-term recovery, restoration and revitalization in the most impacted and distressed areas resulting from Hurricane Sandy. Pursuant to 24 CFR Part 58, the City, as the sponsor of the project, has identified the Citywide Floodplain Management and Disasters Recovery (CDBG-DR) program. This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management, and by Section 2(b)(2) of EO 11990 for the Protection of Wetlands and is implemented by HUD Regulations found at 24CFR 55.20(b) for the HUD action that is within and/or affects a floodplain or wetland.

The proposed project is federally funded and requires approvals from various City, State and Federal agencies, Environmental Impact Statement (EIS) will be prepared pursuant to the National Environmental Policy Act (NEPA) to examine the potential environmental impacts from the project. EIS comments will be accepted through OMB as the Responsible Entity (RE) for the proposed project; therefore, OMB is the Lead Agency for the NEPA review. The proposed project is also primarily located in City Parkland and requires approvals from the New York City Department of Parks & Recreation (NYC Parks); therefore, NYC Parks is the Lead Agency for review pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York City Environmental Quality Review (CEQR).

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and / or wetlands, and the public at large, should be aware of the plan and have the opportunity to present their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. Commenters are encouraged to offer alternate methods to serve the same purpose project and methods to minimize any potential impacts. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance federal efforts to reduce the associations with the occupation and modification of these special areas. Third, as a matter of policy, when the federal government determines it will participate in actions taking place on floodplains and wetlands, it must inform those who may be put at greater or continued risk.

In October 2012, Hurricane Sandy made landfall, greatly impacting the east side of Manhattan between East 42nd Street and the Brooklyn Bridge and highlighting existing deficiencies in the City’s ability to adequately protect vulnerable populations and critical infrastructure during major storm events. Hurricane Sandy, a presidency declared disaster, caused extensive inland flooding, resulting in significant damages to residential and commercial property, transportation, power, parksland including East River Park, and water and sewer infrastructure, which in turned affected medical and other critical services. To address the vulnerability of this area, the City is proposing to install and operate a flood protection system, along a portion of the east side of the Manhattan waterfront, extending from Montgomery and Cherry Streets and between East 13th and East 23rd Streets. However, as design for this compartment and alternative, which has been selected as the City’s Preferred Alternative. This Preferred Alternative proposes to situate the line of flood protection in East River Park, thereby protecting both the community and the park from design storm events as well as normal flows.

As design for this compartment and alternative, which has been selected as the City’s Preferred Alternative. This Preferred Alternative proposes to situate the line of flood protection in East River Park, thereby protecting both the community and the park from design storm events as well as normal flows. The selected alternative reconsiders the site level and scope of the East River Park East East 13th Street by approximately eight feet and install the floodwall below-grade to meet the design flood elevation criteria. This plan would reduce the length of wall between the community and the waterfront to provide for enhanced neighborhood connectivity and integration. In addition to the Delancey Street and East 10th Street Bridges, the Corlears Hook Bridge would be reconstructed to be universally accessible under the modified design. The park’s underground water and sewer infrastructure, bulkhead and esplanade, and additional existing park structures and recreational features, including the amphitheater, track facility, and tennis house, would also be reconstructed. Relocation of two existing embankments along the East River East Esplanade is also proposed for this project due to its active recreational functions with the public. At the time of this writing, a shared-use flyover would be built cantilevered over the northbound FDR Drive to address the narrowed pathway near the East River. It is also proposed to provide for a more accessible roadway between FDR Drive and East River Drive, including East River Park and state-owned park, the eastern flood protection system would be primarily integrated to City Parkland and streets reducing coastal flood hazards and protecting a diverse and vulnerable residential population and safeguarding critical housing, energy, infrastructure, recreational, future flood protection is also an objective of this project. The resulting flood protection system will include East River Park and East River Park Park. Capeletti and Captain Patrick J. Brown. The design for the proposed project is conceptualized to be between Montgomery and Cherry Streets and between East 13th and East 23rd Streets. However, as design for this compartment and alternative, which has been selected as the City’s Preferred Alternative. This Preferred Alternative proposes to situate the line of flood protection in East River Park, thereby protecting both the community and the park from design storm events as well as normal flows.

The area that would be protected under the ESCR Project includes land within the Federal Emergency Management Agency (FEMA)-designated special flood hazard area (SFHA) for the 100-year flood event.

The East River is mapped as estuarine subtidal wetlands with an unconsolidated bottom (ETUB) on United States Fish and Wildlife Service (USFWS) Wetland Ecoregion (WWN) maps. The area within the East River Park is included in the New York State Department of Environmental Conservation (NYSDEC) and wetlands that are regulated by the United States Army Corps of Engineers as Waters of the United States. In addition, there are three areas classified by NYSDEC as coastal flood areas: the southeast portion of East River Park, the southern part of East River Park, and park at the middle of Stuyvesant Cove Park.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the proposed ESCR project in the Federal Register. Written comments shall be submitted to OMB by 255 Green Street, 8th Floor, New York, New York 10007, Attention: Calvin Johnson, Assistant Director CDBG-DR or via email at CDBGDR-Enviro@omb.ebc.gov. The minimum 15 calendar day comment period will begin the day of publication and end on the 10th day after publication. Such comments should be received by OMB no later than March 11, 2019.

City of New York: Bill de Blasio, Mayor
City of New York: Office of Management and Budget, Malerie Hargrove, Director

Date: February 22, 2019

D30

Legal Notice # 21455630

NOTICE OF SALE UNDER THE FEDERAL HOME LOAN BANK SYSTEM ACT (FHBA) - COUNTY OF QUEENS, CITY OF NEW YORK: SSNY shall mail process to: 2723 Tammy Dr., Far Rockaway, New York 11644. Such comments should be received by OMB no later than March 11, 2019.
STATE OF NEW YORK  
COUNTY OF NEW YORK  

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the NY Daily News newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 26th day of February, 2019

Donna Perez  
Notary Public  

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14th - 2022

J WILSON, L.L.C. Articles of Org. Filed 9/19/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 85-16 165th St, Jamaica, NY 11438. Purpose: General.

JIM-MON LLC Articles of Org.Filed 6/22/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 73-17 91st Ave, Springfield Gardens, NY 11413. Purpose: General.

JIMINNY, LLC Articles of Org. Filed 9/19/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 205-38 121st St, Flushing, NY 11367. Purpose: General.

JIAO LLC. Articles of Org. Filed with the SSNY on 10/22/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 715-11 Flanders Ave, Great Neck, NY 11024. Purpose: General.

JFCC LLC, Articles of Org. Filed 11/22/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 81-12 158th St, Jamaica, NY 11432. Purpose: General.

JF Properties LLC, Articles of Org. Filed 10/12/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 756-63 124th Ave, Jamaica, NY 11436. Purpose: General.

JF Properties LLC, Articles of Org. Filed 11/8/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 165-16 121st St, Jamaica, NY 11434. Purpose: General.

JFTT BARC, LLC. Articles of Org. Filed 9/19/18. Office: Queens Co. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to: 4524 Franklin Ave, Brooklyn, NY 11225. Purpose: General.
Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the NY Post newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 26th day of February 2019

Donna Perez
Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
Extra Cash $$$
Sales opportunities through the tri state at our kiosk in retail stores, grocery stores, convenience stores & the occasional festival or event.

Join our team with Succeed With Exceed Sales & Marketing and sell subscriptions for the New York Post!

We offer flexible schedules, opportunity to advance & enjoyable work with stable income.

Our successful contractors typically earn between $15 - $40 per hour with commissions and bonuses. Pay is weekly. No cold calling. No door to door.

Successful applicants must have a car, an outgoing personality, and be responsible enough to work in an unsupervised environment.

Excellent for college students & retirees. Sales experience is preferred but not required.

To inquire call Randy today: 1-800-933-0721
leave a message with your name, and number, and best time to be contacted.
STATE OF NEW YORK
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Rockaway Wave newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 26th day of February, 2019

Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
New York City Office of Management and Budget (OMB)
New York City Department of Parks and Recreation
Community Development Block Grant – Disaster Recovery (CDBG-DR)
East Rady River Flood Protection Project

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland

To: All interested Agencies, Groups, and Individuals

This is to give notice that the City of New York (the City) is proposing to undertake activities within the proposed project in the East River Park area, a City parkland in the Department of Citywide Administrative Services’ (DCAS) U.S. Army Corps of Engineers’ (USACE) Department of Housing and Urban Development’s (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. President Obama signed the “Disaster Relief Appropriations Act, 2013” (Public Law 113-2, October 22, 2013, which provided the USACE the flexibility to use CDBG-DR funds for “necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from Hurricane Sandy.” The USACE, in consultation with the City of New York, has identified its Office of Management and Budget (OMB) as the Responsible Entity for maintaining the CDBG-DR Environmental Review Record. This notice is required by Section 1101(b) of the National Environmental Policy Act (NEPA) and Section 55.20(b) of the HUD regulations implementing the NEPA for the NEPA review. The proposed project is also primarily located in City parklands and requires approvals from the New York City Department of Parks & Recreation (NYC Parks); therefore, NYC Parks has been identified as the Responsible Entity for maintaining the Environmental Quality Review Act (SEQRA) and New York City Environmental Quality Review (CEQR).

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and/or wetlands, and those who have an interest in the protection of the natural resources and environmental system will have an opportunity to express their concerns and to learn more about these areas. Second, an adequate public notice program can be an important public educational tool. Commenters are encouraged to offer alternate methods to serve the same project purpose and methods to minimize and mitigate the environmental and social impacts of the proposed project. The City is also being required to ensure meaningful public involvement and to provide for public comment about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, a matter of federal law, when the federal government determines it will participate in actions taking place within floodplains and/or wetlands, it must provide affected parties the opportunity to file objections to the proposed project.

In October 2012, Hurricane Sandy made landfall, greatly impacting the east side of Manhattan between East 42nd Street and the Brooklyn Bridge and highlighting existing deficiencies in the City’s ability to adequately protect vulnerable populations and critical infrastructure during major disasters. In response to Sandy, a presidentially declared disaster, caused extensive infrastructure flooding, resulting in significant damages to residential and commercial property, transportation, power, parklands including East River Park, and water and sewer infrastructure, which in turn raised concerns over a number of critical indicators: increased hazard and risk, rising sea levels, and increased tidal inundation resulting from sea level rise. The Preferred Alternative would raise East River Park between the amphitheater and East 13th Street by approximately eight-feet and include the following to protect the area against flood events: (1) relocation of two existing emergency exits, (2) in the event the seawall is breached, protection for the seawall, (3) an additional seawall to be constructed, and (4) an additional seawall to protect the north bank of East River Park. The proposed project is primarily located in City parkland and requires approval from the National Environmental Policy Act (NEPA) to examine the potential environmental and social impacts of the project. The City is also being required to provide for public comment about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. As a matter of federal law, the U.S. Army Corps of Engineers (USACE) and the City are required to file a report entitled “Determination of Need” with this Notice of Federal Action (NFA).

Since the publication of the original notice, the design of the proposed project has advanced, and the City has identified a project alternative, which has been selected as the City’s Preferred Alternative. This Preferred Alternative proposes to situate the line of flood protection in East River Park between East 42nd Street and the Brooklyn Bridge. The preferred project is designed to enhance access to the waterfront parkland, including East River Park and Stuyvesant Cove Park. An early floodplain notice for the ESCPR Project was previously published on February 5, 2016 and published on or before March 11, 2019.

The area that would be protected under the ESCPR Project includes land within the Federal Emergency Management Agency (FEMA)-designated special flood hazard area (SFHA) for the 100-year flood event.

The East River is mapped as estuarine subtidal wetlands with an unconsolidated bottom (E1UBL) on the National Oceanic and Atmospheric Administration (NOAA) wetlands map. The project area including the Central Waterfront Study Area is also an area that is designated as a wetland by the National Environmental Conservation (NYSDEC) and wetlands that are regulated by the United States Army Corps of Engineers as Waters of the United States. In addition, there are three areas: the coasts to the east of the tidal East River, the coasts to the north/northwest of the tidal East River, and the coast to the north/northwest of the tidal East River at East 42 meets East River Park, at the southern extent of Stuyvesant Cove Park, and approximately at the middle of Stuyvesant Cove Park.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed project. Comments should be addressed to the Department of Citywide Administrative Services (DCAS) Office of Environmental Conservation (enviro@omb.ny.gov) or via email to OMB-PR2016@omb.ny.gov. Written comments should be sent to OMB at 255 Greenwood Street, 8th Floor, New York, New York 10007. Attention: Calvin Johnson, Assistant Director CDBG-DR or via email to CDBG-DR info@omb.ny.gov. The minimum period for preparing and publishing the public notice and end on the 16th day after publication. Such comments should be received by OMB on or before March 11, 2019.

City of New York: Bill de Blasio, Mayor
Office of Management and Budget, Melanie Hartzog, Director
Date: February 22, 2019
STATE OF NEW YORK  
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Russkaya Reklama newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me

This 26th day of February, 2019

Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
ВСЕ ВОЛОСЫ ПОД ЗВЕЗДОЙ

С ПОДРОЖКОЙ

РУБРИКИ

ДЕТСКИЙ САД
ПРОМЕЖУТОК МИРА
НЕОБЫЧНЫЙ МИР
ГЕОНИКС
СМ. РЕКЛАМУ В СЕКРЕТ ВНОВь

РАССЛЕДОВАНИЕ — НЕ РАДИ ДОХОДА

Бывший глава избирательного штаба Дональда Трампа Пол Манфред был признан виновным в мошенничестве в других преступлениях федеральным судом в Вирджинии, а также признал свою вину по трем пунктам, выдвинутым против него в округе Колумбия.

В том, что прибыль не является главной целью, утверждают Д. Байнштейн, который в своей статье, будучи федеральным прокурором, боролся с международной контрабандной наркотиков и мошенничеством.

В то же время, правда о том, что прибыль не является главной целью, утверждают Д. Байнштейн, который в своей статье, будучи федеральным прокурором, боролся с международной контрабандной наркотиков и мошенничеством.

Таким образом, сложные расследования обходятся, как правило, дороже, чем в структурах, которые по сути являются держателями больших объемов средств, так и в структурах, которые имеют доступ к большим объемам средств.

В свою очередь чикагский Federal Savings Bank, главному управляющему которого Манфред некогда обещал должность в администрации Трампа, добивался возврата кредитов в $16 млн. Для этого могут быть прода- ны дома в Хэмптоне и Бруклине (4,1 млн). И, наконец, до 8 марта в федеральный суд должны поступить доказательства от владельца строительной компании, который утверждает, что Манфред не оплатил работы, проведенные в его бруклинском доме, на общую сумму $855911.85 центов. Про- куратура, впрочем, утверждает, что это требование является необоснованным.

Ю. З.
STATE OF NEW YORK
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Staten Island Advance newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 26th day of February, 2019

Donna Perez
Notary Public

Donna Perez
Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
As school districts across the country look to make schools safer, a team of research- ers has found a connection between school start times and student health. The research, which was conducted by the American Medical Association and the University of Rochester, found that students who start school before 8 a.m. are more likely to be physically, mentally, and emotionally healthier.

"School start times are a measure of academic performance," said a spokesperson for the research team. "They are also a measure of mental acuity. They're about attendance." 

The research also found that students who start school later have fewer accidents and are less likely to be involved in violent incidents. They are also more likely to sleep later. Citcadian performance, they're about attendance.

The American Medical Association has been trying to do over the last couple of years. Cohen, spokesman for the Department of Education, said that adolescents need more sleep to function properly. The era has been filled with a glut of research on the topic.

"Their arguments are irrefutable. If you want to address the gender wage gap, you have to address the needs of the students," said a spokesperson for the Department of Education.

"If we were to do studies to find out which school start times are best for students, we would have to do studies on which school start times are best for students," said a spokesperson for the Department of Education.

"We have to do studies to find out which school start times are best for students," said a spokesperson for the Department of Education.

"We would have to do studies to find out which school start times are best for students," said a spokesperson for the Department of Education.

"Once you have that, it will slowly roll out," said Cohen. "It won't happen overnight. But every month there's more data showing the efficiency of this. And at some point, the science will win the day."
STATE OF NEW YORK  
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Sing Tao newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me

This 26th day of February 2019

Notary Public

Donna Perez  
Notary Public State Of New York  
No. 01PE6151365  
Qualified In New York County  
Commission Expires August, 14th - 2022
手持標語抗議 顛簸班級規模
工會主管打氣

在罷工教師工會的組織下，21日公校教師正式爆發，全市86%學校的教師、學生和家長早上6時30分就拉響警號，手持標語抗議，為罷工採取行動。罷工教師工會(OEA)主席凱斯勒(Keesler Brown)來到奧克蘭社區學校(Manzanita Community School)為大家打氣加油。11時30分，數千名教職員在奧克蘭的小川廣場(Frank Ogawa Plaza)集結，並展開閉門會議。

布盧斯表示，教育工作者正在為解決大規模的罷工而努力。他於21日對百老匯小學的教職員表示，「我們要盡我們的努力，讓我們周一看到實質的進展。」他希望解決方案能夠迅速到達。

罷工的原因是，預算問題。報告。庫克曾建議，未來三年的預算將增加27.6億美元，以解決現狀問題。現在，奧克蘭的預算只有一名護士。阿拉米達勞工委員會、加州護士協進會、檔案員、圖書管理員和學校心理輔導員。現狀是，目前嚴重的預算問題，無法達到庫克的預期。因此，有1000名教職員都將在未來幾天內開始罷工。

報告。查詢。庫克。擁有。庫克。爆發。全市86所學校的教職工、學生和家長都將參與到罷工作中。教職員們手持標語和牌子，為罷工拉開序幕。 robotic.

11時30分，數千名教師在屋崙市政府的南坳廣場集結，並舉起警戒線，示威抗議。續到下午。教工們在2時30分繼續回到各自學校的聯合校區總部辦公室進行示威，一直持續到五點，所有人均派代表到場支持。

屋崙校區董事會宣布自10月13日起將關閉所有學校。屋崙校區董事會稱沒有足夠資源來維持學校的功能。因此，教職員要參與罷工，同時也為學校的未來著想。

2019年9月21日

報告。查詢。庫克。爆發。全市86所學校的教職工、學生和家長都將參與到罷工作中。教職員們手持標語和牌子，為罷工拉開序幕。 robotic.

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AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
COUNTY OF NEW YORK

Alison Bloom being duly sworn hereby declares and says, that she is the Advertising Account Executive responsible for placing the attached advertisement in: the Brooklyn Eagle newspaper for Miller Advertising Agency, Inc.; located in New York, NY, and that the New York City Office of Management & Budget advertisement, of which the annexed is a true copy, has been published in the said weekly publication on the following issue date(s): February 22, 2019.

Alison Bloom

Subscribed to and Sworn before me
This 21st day of February, 2019

Donna Perez
Notary Public

Notary Public State Of New York
No. 01PE6151365
Qualified In New York County
Commission Expires August, 14th - 2022
El Chapo’s lawyers raised concerns of potential juror misconduct and were reviewing their options Wednesday after a member of the jury at the Mexican drug lord’s trial told a news website that several jurors looked at media coverage of the case against a judge’s orders.

Balarceo said in a statement, “We will review all available options before deciding on a course of action.”

The U.S. Attorney’s Office in Brooklyn declined to comment.

Members of the non-sequestered jury, whose names were never released, were warned repeatedly not to look at news coverage of the case, including “anything on TV, radio, newspaper, websites, blogs or social media.”

Legal experts say that while it’s too early to talk about potentially throwing out the verdict, this could at least lead the defense to ask for a chance to question jurors about their exposure to news coverage and whether it affected their decisions. And it starts with the juror who spoke out to VICE.

“This person has got to go in and answer some questions,” said former federal prosecutor David S. Weinstein.

University of Dayton law professor Thaddeus Hoffmesser said Guzman’s lawyers will have to demonstrate not only that there was juror misconduct but that it had a prejudicial impact. “The challenge now becomes for the court to determine whether this somehow influenced their decision-making.”

VICE reported that the juror requested anonymity and would not provide a name to the reporter. But the juror spoke to the reporter via video chat for two hours, and the reporter said he recognized the juror from the trial.

The juror told VICE News that at least five members of the jury at Joaquin Guzman’s trial followed news reports and Twitter feeds about the case, against a judge’s orders, and were aware of potentially prejudicial material that jurors weren’t supposed to see.

Guzman, 61, was convicted Feb. 12 on drug and conspiracy charges that could put him behind bars for the rest of his life. Jurors deliberated for two hours, and the report would not provide a name to the reporter via video chat.

El Chapo Guzman
Concealed by Juror
Misconduct Claims

By Jim Mustian And Michael R. Sisak
The Associated Press

In this Feb. 4 courtroom sketch, Judge Brian Cogan (upper right) gives instructions to juror at the trial of Joaquin “El Chapo” Guzman in New York. On Wednesday, El Chapo’s lawyers raised concerns of potential juror misconduct and said they were reviewing “all available options” after a juror at the notorious Mexican drug lord’s trial told a news website that several jurors looked at media coverage of the case against a judge’s orders.

El Chapo’s lawyers raised concerns of potential juror misconduct and were reviewing their options Wednesday after a member of the jury at the Mexican drug lord’s trial told a news website that several jurors looked at media coverage of the case against a judge’s orders.

In October 2012, Hurricane Sandy made landfall, greatly impacting the east side of Manhattan between East 42nd Street and the Brooklyn Bridge and highlighting existing deficiencies in the city’s ability to adequately protect vulnerable populations and critical infrastructure during major storm events. Hurricane Sandy, a overwhelmingly devastating disaster, caused extensive island flooding, resulting in significant damages to residential and commercial property, transportation, power generation, and public safety facilities, all of which had an impact on the city’s ability to respond to and recover from Hurricane Sandy.

The allegations, made public on the eve of deliberations, appeared in news coverage and tweets about the case. The juror said the revelations didn’t seem to factor into Guzman’s guilty verdict, VICE reported.

“That didn’t change nobody’s mind for sure,” the juror said, according to VICE.

“We weren’t really hung up on that. It was just like a five-minute talk and that’s it, no more talking about that.”

At the end of the trial, VICE reported that the juror didn’t seem to factor into Guzman’s guilty verdict, VICE reported.

“Neither of us have anything to hide,” the juror said.

“The challenge now becomes for the court to determine whether this somehow influenced their decision-making.”

El Chapo’s lawyers raised concerns of potential juror misconduct and were reviewing their options Wednesday after a member of the jury at the Mexican drug lord’s trial told a news website that several jurors looked at media coverage of the case against a judge’s orders.

In this Feb. 4 courtroom sketch, Judge Brian Cogan (upper right) gives instructions to juror at the trial of Joaquin “El Chapo” Guzman in New York. On Wednesday, El Chapo’s lawyers raised concerns of potential juror misconduct and said they were reviewing “all available options” after a juror at the notorious Mexican drug lord’s trial told a news website that several jurors looked at media coverage of the case against a judge’s orders.

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