



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

September 8, 2016

Ms. Tennille Smith Parker
Director, Disaster Recovery and Special Issues Division
Office of Block Grant Assistance
U.S. Department of Housing & Urban Development
451 7th Street, SW
Washington, DC 20410

Re: NOI – RROF/FONSI for CDBG-DR New York State Small Business Grant Program

Dear Ms. Parker:

The Governor's Office of Storm Recovery, operating under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation, respectfully submits the annexed Request for Release of Funds ("RROF") and Environmental Certification forms for the above-referenced program. The activities covered by these RROFs and Environmental Certifications are "categorically excluded subject to" and were reviewed pursuant to 24 CFR 58.35(a). The Notice of Intent to Request Release of Funds ("NOI/RROF") and the Notice of Finding of No Significant Impact ("FONSI") were published on August 19, 2016, which is documented by the annexed affidavit of publication. Copies of the NOI/RROF and FONSI are included with this submittal.

If you have any questions concerning this submission, please contact me at (518)474-0755 or Lori.Shirley@nyshcr.org

Respectfully submitted,

Certifying Officer
Governor's Office of Storm
Recovery



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

cc:

By Electronic Mail

Rhoda M. Nicholson, HUD
Tennille Smith Parker, HUD
Frank McNally, HUD
Jeffrey M. D'Agostino, HUD
Therese J. Fretwell, HUD
Grace Musumeci, USEPA Region 2
LaToya Murphy, Storm Recovery
Margaret Egziaco, Storm Recovery
Alicia Shultz, NYSHCR
Lori Shirley, Storm Recovery

By Overnight Mail

Rhoda M. Nicholson, HUD

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 07/31/2017)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant - Disaster Recovery (CDBG-DR)	2. HUD/State Identification Number B-13-DS-36-0001	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity NYS Homes & Community Renewal 38-40 State Street Albany, New York 12207	
6. For information about this request, contact (name & phone number) Lori A. Shirley (518) 474-0755	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request HUD, Office of Block Grant Assistance Disaster Recovery and Special Issues Division 451 7th Street SW, Washington D.C. 20410		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) New York State Small Business Grant Program (RROF for disaster assistance described below)	10. Location (Street address, city, county, State) Property within eligible disaster-impacted (Sandy) within New York State (Suffolk)
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11. Program Activity/Project Description

The Governor's Office of Storm Recovery ("GOSR"), operating under the auspices of New York State Homes and Community Renewal's Housing Trust fund Corporation, is the entity responsible for compliance with the United States Department of Housing and Urban Development ("HUD") environmental review procedure set forth in 24 CFR Part 58. The grant funded activities herein are part of the small business economic recovery within the NY Rising Small Business Program. This RROF is based on site - specific environmental review (pursuant to 24 CFR 58.35 (a)) of the following business:

T&M Property Management, Inc. (103-ED-433-13) 519 South Great Neck Road, Hamlet of Copiague, Town of Babylon, Suffolk County, New York 11726. GOSR proposes to provide CDBG-DR funding of \$100,000.00 to T&M Property Management, Inc. for the removal and disposal offsite of an existing 200-foot bulkhead and installation of a new 200-foot navy/smooth face bulkhead with zero returns and 12" higher in elevation. The associated decking will be removed, the area behind the old bulkhead will be dug out, materials will be stockpiled and reused, and the area will be backfilled and graded to the height of the new bulkhead.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

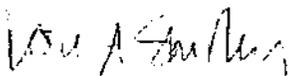
1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

X



Title of Certifying Officer

Certifying Officer

Date signed

9/8/16

Address of Certifying Officer

Governor's Office of Storm Recovery, 25 Beaver Street, New York, NY 10004

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

X

Title of Authorized Officer

Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 07/31/2017)

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Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

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4. OMB Catalog Number(s)	5. Name and address of responsible entity NYS Homes & Community Renewal 38-40 State Street Albany, New York 12207	
6. For information about this request, contact (name & phone number) Lori A. Shirley (518) 474-0755		
8. HUD or State Agency and office unit to receive request HUD, Office of Block Grant Assistance Disaster Recovery and Special Issues Division 451 7th Street SW, Washington D.C. 20410	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

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11. Program Activity/Project Description

The Governor's Office of Storm Recovery ("GOSR"), operating under the auspices of New York State Homes and Community Renewal's Housing Trust fund Corporation, is the entity responsible for compliance with the United States Department of Housing and Urban Development ("HUD") environmental review procedure set forth in 24 CFR Part 58. The grant funded activities herein are part of the small business economic recovery within the NY Rising Small Business Program. This RROF is based on site - specific environmental review (pursuant to 24 CFR 58.35 (a)) of the following business:

Rainbow Marine Associates, LLC (103-ED-33686-2013), located at 185 Sumpwams Avenue, Town of Babylon, Suffolk County, New York 11702. GOSR proposes to provide CDBG- DR funding of \$100,000.00 to Rainbow Marine Associates, LLC for the removal and disposal offsite of an existing 77-foot section of deteriorated timber bulkhead and replacing it with a new 77-foot Navy-type bulkhead, as well as the installation of an anchor system. Project activities will involve minor dredging and excavation associated with the bulkhead replacement and the dredged sediment will be used to backfill the bulkhead.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

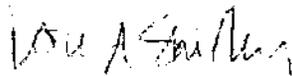
1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

X



Title of Certifying Officer

Certifying Officer

Date signed

9/8/16

Address of Certifying Officer

Governor's Office of Storm Recovery, 25 Beaver Street, New York, NY 10004

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

X

Title of Authorized Officer

Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

NEWSDAY AFFIDAVIT OF PUBLICATION

TECTONIC
PO BOX 37
MOUNTAINVILLE, NY 10953

STATE OF NEW YORK)

Legal Notice No. 0021206227

:SS.:

COUNTY OF SUFFOLK)

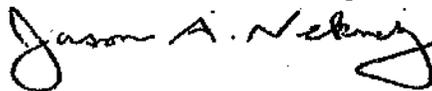
Jamie Asuncion of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Friday August 19, 2016 Suffolk

SWORN to before me this
19 Day of August, 2016.



Jason A. Neknez
Notary Public, State of New York
No. 01NE6219108
Commission Expires 03/22/2018
Qualified in Suffolk County



Ad Content

Legal Notice # 21206227

PUBLIC NOTICE

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRRF) FOR T&M PROPERTY MANAGEMENT, INC. AND RAINBOW MARINE ASSOCIATES, LLC
August 19, 2016

Name of Responsible Entity and Recipient: New York State Storm and Community Recovery (NYS SCR), 38-40 State Street, Hamilton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (NYHTFC), of the same address. Contact: Lori A. Shirley (518) 474-0755.

Pursuant to 24 CFR Section 98.43, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRRF) satisfies two separate procedural requirements for project activities proposed to be undertaken by NCR.

Project Description: The Governor's Office of Storm Recovery (GOSR), an office of NCR's NYHTFC, is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program in New York State. GOSR proposes to provide CDBG-DR funding to the following two cases (the "Proposed Projects"):

T&M Property Management, Inc. (103-ED-431-13). GOSR proposes to provide CDBG-DR funding of \$100,000.00 to T&M Property Management, Inc. for the removal and disposal of an existing 200-foot bulkhead and installation of a new 200-foot navy-smooth face bulkhead with zero returns and 12" higher in elevation. The associated decking will be removed, the area behind the old bulkhead will be dug out, materials will be stockpiled and reused, and the area will be backfilled and graded to the height of the new bulkhead. The rehabilitation of infrastructure damaged by Superstorm Sandy will be performed at the property located at 519 South Great Neck Road, Hansbet of Colpaen, Town of Babylon, Suffolk County, New York 11726.

Rainbow Marine Associates, LLC (103-ED-32686-2013). GOSR proposes to provide CDBG-DR funding of \$100,000.00 to Rainbow Marine Associates, LLC for the removal and disposal of an existing 77-foot section of deteriorated timber bulkhead and replacing it with a new 77-foot Navy-type bulkhead, as well as the installation of an anchor system. Project activities will involve minor dredging and excavation associated with the bulkhead replacement and the dredged sediment will be used to backfill the bulkhead. The rehabilitation of infrastructure damaged by Superstorm Sandy will be performed at the property located at 185 Sunnyside Avenue, Town of Babylon, Suffolk County, New York 11702.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for each Proposed Project has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EAs are incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Projects is anticipated. NCR has determined that the EAs for the Proposed Projects identified herein comply with the requirements of HUD environmental review regulations at 24 CFR Part 58. NCR has also determined that the Proposed Projects will have no significant impact on the human environment and, therefore, do not require the preparation of environmental impact statements under NEPA.

Public Review: Public viewing of the EA for each Proposed Project is available online at: <http://stormrecovery.ny.gov/environmental-docs> and is also available in person Monday - Friday, 9:00 AM - 5:00 PM at the following address: Governor's Office of Storm Recovery, 38-40 State Street, Hamilton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

Further information may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyscr.org or by calling (518) 474-0755. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

Public Comments on FONSI and/or NOIRRF: Any individual, group or agency may submit written comments on the Proposed Projects. The public is hereby advised to specify in their comments which "notice" and Project their comments address. Comments should be submitted via email, in the proper format, on or before September 6, 2016 at NYSCDBG_DR_ER@nyscr.org. Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before September 6, 2016: Governor's Office of Storm Recovery, 38-40 State Street, Hamilton Plaza, Albany, NY 12207. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 PM on September 6, 2016 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or about September 7, 2016, the NCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the New York CDBG-DR program.

Environmental Certification: NCR certifies to HUD that Lori A. Shirley, in her capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. 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 GOSR to use CDBG-DR program funds.

Objections to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period. The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by NCR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity or has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; 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) and shall be addressed to: Jennifer Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 481 7th Street SW, Washington, DC 20510, Phone: (202) 402-4649.



Governor's Office of Storm Recovery



Andrew M. Cuomo
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Lisa Bova-Hiatt
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Objection to Release of Funds: HUD will accept objections to its release of funds and GOSR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD or the GOSR Certifying Officer to verify the actual last day of the objection period.

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Lori A. Shirley
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August 19, 2016