



**PUBLIC NOTICE**

**COMBINED FINDING OF NO SIGNIFICANT IMPACT (FONSI),  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS,  
AND FINAL NOTICE AND PUBLIC EXPLANATION OF  
A PROPOSED ACTIVITY IN A WETLAND**

**BLENHEIM MUNICIPAL COMPLEX, TOWN OF BLENHEIM, SCHOHARIE COUNTY, NEW YORK**

**December 16, 2016**

**Name of Responsible Entity and Recipient:** New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207, in cooperation with the New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Lori A. Shirley (518) 474-0755. The Governor's Office of Storm Recovery (GOSR), an office of HCR's HTFC, 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.

Per 24 CFR Section 58.33, this combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds (FONSI/NOIRROF) and Final Notice and Public Explanation of a Proposed Activity in a Wetland satisfies three separate procedural requirements for program activities proposed to be undertaken. The comment periods for the FONSI/NOIRROF and Final Notice of Public Review of a Proposed Activity in a Wetland have been combined.

**Project Description:** GOSR proposes to provide \$3,077,799 in CDBG-DR funding to the Blenheim Municipal Complex Project ("Project"), which entails acquiring a site and constructing a new municipal complex for the Town of Blenheim on the east side of State Route 30 (NY 30), west of the northern end of the Blenheim Gilboa Reservoir. The proposed multi-use municipal complex would contain a town hall with offices for the town clerk, judge's chamber, a common room, conference room, utility room, mechanical room, file room, kitchenette, and two bathrooms. A Fire Department facility would be located in the same building and would include an office and radio room, a bathroom, and four bays for fire and rescue equipment. A separate building to the south would house the Highway Department garage, including bays for equipment and administrative/dispatch space, a protected drinking water well, a space that can function as an emergency shelter that may include a kitchen and storage areas, and interior and exterior space to allow the stockpiling and distribution of supplies and adequate parking for vehicles as well as equipment staging. Based on the design plans, the site would also include a septic leach field and storm water treatment facility, a storm water

retention pond, and storm water discharge erosion protection. A salt storage facility would be constructed to the south of the intermittent stream that bisects the Project site.

The Project is needed to address the damage to the building that houses the Blenheim Highway Department, Fire Department, Town Hall/Emergency Operations Center, and Post Office, as a result of inundation by nearly four feet of water from the flooding of Schoharie Creek during Hurricane Irene. During the height of the flooding, the Blenheim municipal facility was inaccessible, and first responders did not have access to vital equipment needed to protect life and property due to flooding of a large section of NY 30, which is the only road leading to the Blenheim municipal facility. The purpose of the Project is to provide the Town of Blenheim with a functioning municipal complex during future storm events. The facility would relocate the critical functions of the existing Blenheim municipal facility out of the floodplain, eliminating potential damage caused by flooding and strengthening emergency response activities during a flood event.

### **FINAL NOTIFICATION OF ACTIVITIES IN A WETLAND**

This is to give notice that GOSR has conducted an evaluation as required by Executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations (24 CFR Part 55) Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in a wetland would have on the human and natural environment. The Project would result in temporary impacts to less than one acre of a freshwater emergent National Wetlands Inventory (NWI)-mapped wetland on each side of an intermittent stream that crosses the Project site from east to west. These impacts would occur during construction of the proposed storm water discharge channel and outfall from the storm water retention pond to the intermittent stream. A wetland assessment and delineation report dated June 15, 2016, stated that the wetland and intermittent stream are hydraulically connected and therefore, may be under federal jurisdiction. The Project would result in permanent impacts to less than one acre of these NWI-mapped wetlands as a result of operation of the storm water management system at the discharge location. The storm water outfall would be covered under U.S. Army Corps of Engineers (USACE) Nationwide Permit No. 43, which covers discharges of dredged or fill material into non-tidal waters of the United States for the construction of storm water management facilities. The Project would require a joint permit application to the New York State Department of Environmental Conservation (NYSDEC) for a water quality certification under Section 401 of the Clean Water Act and coordinated review with the USACE. Discharge of from the storm water is not expected to diminish the beneficial functions of the values of the wetland and intermittent stream. The Project site does not contain any state listed freshwater wetlands.

A summary of the 8-step wetland analysis, documenting compliance with Executive Order 11990, as well as a wetlands map from the wetland delineation report for the Project, have been prepared for this project and are available for review at <http://www.stormrecovery.ny.gov/environmental-docs>. There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Project, including alternative locations outside of the wetland. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will

participate in actions taking place in floodplains or wetlands, it must inform those who may be put at greater or continued risk.

### **FINDING OF NO SIGNIFICANT IMPACT**

An Environmental Assessment (EA) for the 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 EA is incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Project is anticipated. HCR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR has determined that the Proposed Project will have no significant impact on the human environment and therefore does not require the preparation of an environmental impact statement under NEPA.

**Public Review:** Public viewing of the EA 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, HCR, 38-40 State Street, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

Further information or a copy of the EA may be requested by writing to the above address, emailing [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.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 the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

**Public Comments on FONSI, NOIRROF, and/or Activity in a Wetland:** Any individual, group or agency may submit written comments on the Project. Comments should be submitted via email, in the proper format, on or before January 3, 2017 at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before January 3, 2017: Governor’s Office of Storm Recovery, HCR, 38-40 State Street, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5pm on January 3, 2017 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 January 4, 2017, the HCR 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:** HCR 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. **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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Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to 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, Phone: (202) 402-4649.

Lori A. Shirley  
Certifying Officer  
December 16, 2016