



## PUBLIC NOTICE

### **COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF)**

#### **CENTURY SUNRISE REDEVELOPMENT**

November 10, 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.

Per 24 CFR Section 58.33, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR.

**Project Description:** 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. GOSR proposes to provide CDBG-DR funding to carry out the Century Sunrise Redevelopment (the "Proposed Project") located at 135 – 139 Baldwin Street, Village of Johnson City, Broome County.

Broome County, along New York State's south-central border with Pennsylvania, was devastated by severe flooding in 2011. Tropical Storm Lee, dropped 10-12 inches of precipitation in the area, leading to massive flooding on the Susquehanna and Chenango Rivers, larger tributaries, streams, and creeks. Most municipalities in Greater Binghamton and the Penn-York Valley saw water levels top the levees, inundating several downtown areas along the river.

The 2013 Broome County Comprehensive Plan states that the local housing stock is under tremendous pressure. Three major floods in five years have damaged hundreds of homes, and potential changes to flood maps and the increasing cost of flood insurance threatens whole neighborhoods. The loss and damage of homes and businesses have negatively impacted property values and the property tax base. The New York Rising Community Reconstruction (NYRCR), Broome Reconstruction Plan, states that short- and long-term housing needs should be addressed, including replacing flood-damaged units at more suitable locations, expanding

housing choice to accommodate low and moderate income residents, and creating sustainable and resilient neighborhoods. The Proposed Project is in accordance with those strategies.

Regan Development Corporation proposes to acquire and rehabilitate the existing Century and Sunrise buildings to include 104 residential units (44 one-bedroom, 56-two bedroom, and four three-bedroom units) and a 3,500 square foot multi-level commercial retail/restaurant space. Approximately 90 percent of the units would be available to individuals and families at or below 60 percent of the Area Median Income (AMI), and the remaining 10 percent would be available to those between 60 and 90 percent of the AMI. The residential units would have individual natural gas furnaces and air conditioning. The common areas of the buildings, which would be handicapped accessible, include recreation areas, a children's playground, laundry facilities and a large community room with kitchen.

The Proposed Project site is within the Johnson City Historic District. Both buildings have been determined to contribute to the District. The plans for rehabilitation include preserving the current building facades. Most of the rehabilitation would involve the interiors of the buildings. The development also would include a park with seating areas. Between the two buildings would be a garden space. New outside lighting with pole-mounted and wall-mounted LED downlight fixtures would be installed. The Proposed Project site currently has gravel parking areas that would be covered with an asphalt parking lot. There would be ample tenant off-street parking as well as space for bicycles.

The estimated total cost for the Project is \$33,047,896, funded with up to \$3,485,786 from the CDBG-DR program.

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

An Environmental Assessment (EA) for the 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 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 natural or 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: NYS Homes & Community Renewal, Governor's Office of Storm Recovery, 38-40 State Street, Albany, New York 12207. Contact: Lori A. Shirley (518) 474-0755.

Further information may be requested by writing to the above address, emailing 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, 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 "*Binghamton Press and Sun Bulletin*," a newspaper of general circulation in the affected community.

**Public Comments on FONSI and/or NOIRROF:** Any individual, group or agency may submit written comments on the Proposed Project. The public is hereby advised to specify in their

comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before Friday, November 25, 2016 at 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 Friday, November 25, 2016: Governor’s Office of Storm Recovery, 38-40 State, Albany, New York 12207, Attention: Lori A. Shirley. 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 Friday, November 25, 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 Monday, November 28, 2016, 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.

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.

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 HCR’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 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 Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7<sup>th</sup> Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Lori A. Shirley  
Certifying Officer  
November 10, 2016