



ANDREW M. CUOMO
Governor

PUBLIC NOTICE

**COMBINED NOTICE OF JOINT RECORD OF DECISION AND FINDINGS
STATEMENT and NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

**Coastal and Social Resiliency Initiatives for Tottenville Shoreline
Staten Island, New York**

August 31, 2018

This provides notice that the State of New York, as the “Responsible Entity,” as that term is defined by 24 CFR 58.2(a)(7)(i), has issued a Joint Record of Decision and Findings Statement that selects alternatives to be implemented for increasing coastal and social resiliency along the Tottenville shoreline on the South Shore of Staten Island and help to avoid or minimize adverse impacts to the quality of the human environment. The State of New York is the Grantee of Community Development Disaster Recovery (CDBG-DR) funds appropriated by the Disaster Relief Appropriations Act, 2013 (Pub. L. 113-2, approved January 29, 2013) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (Stafford Act) in calendar years 2011, 2012, and 2013. The Governor’s Office of Storm Recovery (GOSR) implements the State’s obligations under the National Environmental Policy Act (NEPA) through duly authorized Certifying Officers. GOSR was formed under the auspices of the New York State Homes and Community Renewal’s Housing Trust Fund Corporation (HTFC), a public benefit corporation and subsidiary of the New York State Housing Finance Agency, 99 Washington Avenue, Suite 1224, Albany, New York 12260.

Certifying Officer: Daniel Greene, General Counsel, New York State Governor’s Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York 10004.

Pursuant to 24 CFR Section 58.43, this Notice of Intent to Request Release of Funds satisfies procedural requirements for project activities proposed to be undertaken by HTFC.

Project Description: GOSR proposes to provide \$73,300,000.00 in CDBG-DR funding to implement the Coastal and Social Resiliency Initiatives for Tottenville Shoreline (therein after, the “Proposed Activity”) located along the south shore of Staten Island and parallel that shoreline within the Raritan Bay. The Proposed Activity will occur in the City of New York, borough of Staten Island, on public lands owned by the City of New York and underwater lands owned by the State of New York off-shore. The Proposed Activity consists of two projects, the Rebuild by Design (RBD) Living Breakwaters Project and the Tottenville Shoreline Protection Project. The proposed RBD Living Breakwaters Project includes (1) a system of off-shore engineered

breakwaters designed to reduce wave energy at the shoreline, and prevent or reverse shoreline erosion while creating hard/structured marine habitat; (2) a “floating” Water Hub—a vessel operated by a non-profit project steward—that would visit the breakwater project area for education and monitoring and would be docked at existing facilities in the City; and (3) strategic placement of sand for restoration along the shoreline. The proposed Tottenville Shoreline Protection Project would involve a system of shoreline protection measures working to attenuate waves, limit erosion and provide risk reduction against coastal flooding and would be comprised of (1) an earthen berm; (2) a hybrid-dune system; (3) eco-revetments; and (4) a raised edge.

Availability of Joint Record of Decision and Findings Statement

This is to give notice that HTFC has prepared a Joint ROD and Findings Statement in accordance with the National Environmental Policy Act (NEPA; 42 USC § 4321 et seq.) and the Council on Environmental Quality (CEQ) regulations implementing NEPA 40 CFR Parts 1500 to 1508. This Joint ROD and Findings Statement is also prepared in accordance with SEQRA (New York Environmental Conservation Law (ECL) Article 8 (8-0101-8-0117)).

Public Review: Public viewing of the Joint Record of Decision and Findings Statement is available online at <http://www.stormrecovery.ny.gov/environmental-docs> and is also available in person at the following locations:

- Governor’s Office of Storm Recovery: 25 Beaver Street, 5th Floor, New York, NY 10004. Contact: (212)480-2321
- New York Public Library, Tottenville Branch: 7430 Amboy Rd, Staten Island, NY 10307. Contact: Information Desk (718)984-0945

Further information may be requested by writing to the Governor’s Office of Storm Recovery: 25 Beaver Street, 5th Floor, New York, NY 10004, emailing NYSCDBG_DR_ER@nyshr.org or by calling (212)480-2321. 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: Any individual, group or agency may submit written comments on the 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 September 17, 2018, at NYSCDBG_DR_ER@nyshr.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 17, 2018: Governor’s Office of Storm Recovery: 25 Beaver Street, 5th Floor, New York, NY 10004. All comments must be received on or before 5pm on or before September 17, 2018, 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 18, 2018, the HTFC's 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: HTFC certifies to HUD that Daniel Greene, in his 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 HTFC'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 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.