



**Governor's Office of
Storm Recovery**

ANDREW M. CUOMO
Governor

PUBLIC NOTICE

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

**VILLAGE OF NICHOLS: RECREATION IMPROVEMENTS PROJECT
KIRBY PARK AT RIVER STREET (NYS ROUTE 502),
VILLAGE OF NICHOLS, TOWN OF NICHOLS, TIOGA COUNTY NEW YORK 13812; AND A
VILLAGE OF NICHOLS OWNED PARCEL AT WEST RIVER ROAD (NYS ROUTE 282),
VILLAGE OF NICHOLS, TOWN OF NICHOLS, TIOGA COUNTY, NEW YORK 13812**

AUGUST 8, 2018

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.

Pursuant to 24 CFR Section 58.43, 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 for the Village of Nichols: Recreation Improvements Project, which involves recreational improvements at Kirby Park at East River Road (NYS Route 502), Village of Nichols, Town of Nichols, Tioga County New York 13812, and the creation of a new village park (Veterans Memorial Park) on a Village of Nichols owned parcel at West River Road (NYS Route 282), Village of Nichols, Town of Nichols, Tioga County, New York 13812 (the "Proposed Project"). The recreational improvements to Kirby Park will include the following: installation of new park signs and lighting, multi-use trails, a pedestrian walkway, a children's play area, portable toilet facilities, constructing new parking in the northern portion of Kirby Park with increased handicapped accessible parking, resiliency landscaping, upgrading Kirby Park's perimeter and entrance, improving the southern parcel of Kirby Park with secondary parking, and repositioning the practice baseball field, pavilion, and basketball court. The enhancements to Kirby Park will increase flood resiliency to make the park's amenities more flood-resistant and reduce the amount of damage and debris clean-up after storms, while simultaneously improving the quality of life for residents and the creation of Veterans Memorial Park is intended to meet the recreation needs of children, seniors, and those browsing the commercial district. The Proposed Project is estimated to have a total cost of \$850,000.00 to be provided by CDBG-DR funding.

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 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, 99 Washington Avenue, Suite 1224, Albany, New York 12260.

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, 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 the 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 August 23, 2018 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 August 23, 2018: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. All comments must be received on or before 5pm on August 23, 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 August 24, 2018, 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 7th Street SW, Washington, DC 20410.

Lori A. Shirley
Certifying Officer
August 8, 2018