



ANDREW M. CUOMO
Governor

PUBLIC NOTICE

**COMBINED NOTICE OF REVISED FINDING OF NO SIGNIFICANT IMPACT,
SECOND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
AND FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED
ACTION IN A 100-YEAR FLOODPLAIN**

**NORTH FERRY STREET PUMP STATION RELOCATION PROJECT, SCHENECTADY,
SCHENECTADY COUNTY, NEW YORK**

May 9, 2019

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.

Pursuant to 24 CFR Section 58.43, this combined Revised Notice of Finding of No Significant Impact and Second Notice of Intent to Request Release of Funds (FONSI/NOIRROF) and Final Notice and Public Review of a Proposed Action in a 100-Year Floodplain satisfies three 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 the City of Schenectady to construct a new wastewater pump station just to the south of the existing pump station at 123 North Ferry Street in Schenectady. Schenectady County, New York (Proposed Project).

The existing North Ferry Street Pump Station, built in 1913, is located on the southern shore of the Mohawk River at the end of North Ferry Street in the historic Stockade District. The ground floor elevation (225 feet above sea level) is below the 100-year flood elevation and is prone to flooding from the Mohawk River. Flooding of the Mohawk River and its tributaries after Hurricane Irene and Tropical Storm Lee caused destruction throughout the City of Schenectady. The City drinking water and wastewater facilities experienced flooding and power failures. The North Ferry Street Pump Station, a critical component of the City's sewer system, was severely impacted by floodwaters. The control and electrical systems were inundated, and the control panels did not operate for almost 24 hours due to power failure.

The project calls for the design and construction of a new pump station that would withstand flooding and continue to operate in future storm events improving the reliability and resiliency of the City of Schenectady's wastewater facilities. The Project site would allow for the reconnection to the gravity influent lines for the sewersheds served by the existing pump station. The Project would disturb less than 0.5 acres of land. Construction of the Project could require dewatering during excavation. The construction of the wet well would require excavation to approximately 31 feet below the existing surface. Existing utilities will be used for the

new facility. A diesel generator, with an integral double-contained, 2500-gallon above-ground fuel tank would provide emergency power. Once the new pump station is operational the City plans to remove the existing 1913 North Street Pump Station from service. The City of Schenectady has committed to continue to maintain and preserve the building as part of the City's infrastructure. The NYS Department of Parks, Recreation (SHPO) has requested consultation on a protection plan for the existing pump station. A future use for the existing 1913 Station has not been determined. SHPO, the Stockade Association, and the Schenectady Heritage Foundation (SHF) have requested ongoing consultation on proposals and plans for reuse of the existing station. It is a condition of this Environmental Assessment that the City of Schenectady commit to ongoing consultation with those parties regarding proposals and plans for reuse of the existing station

The City of Schenectady is requesting \$3,149,999 in CDBG-DR funding for the Proposed Project.

FINAL NOTIFICATION OF ACTIVITIES IN A FLOODPLAIN

This is to give notice that the GOSR has conducted an evaluation as required by Executive Order 11988 and executive Order 11990 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management, to determine the potential effects that its activity in the floodplain would have on the human environment. An early public notice of proposed activity within the 100-year floodplain was published by GOSR on October 16, 2018, in *The Daily Gazette* and is posted at <http://www.stormrecovery.ny.gov/environmental-docs>. No public comments regarding the Proposed Action in the floodplain were received.

All 0.5 acres of the Project site lie within the Special Flood Hazard Area Zone AE (within the one percent annual chance flood), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 36093C0154D, dated January 8, 2014. The proposed activity entails construction of a new wastewater pump station just to the south of the existing pump station at 123 North Ferry Street in Schenectady.

The Project will result in the redevelopment of the entire 0.5-acre site in the 100-year floodplain. Construction of the Project could require dewatering during excavation. The construction of the wet well would require excavation to approximately 31 feet below the existing surface. The existing facility's access and parking surfaces will be used for the new facility. Existing utilities will be used for the new facility. The Project site would allow for the reconnection to the gravity influent lines for the sewersheds served by the existing pump station.

The new North Ferry Street Pump Station site would be in a previously disturbed area and would not disturb the nearby floodway.

The direct and indirect impacts associated with the proposed action within the floodplain would be limited to approximately 0.14 acre of new impermeable surface due to the new facility structure. The limited area of disturbance would not adversely affect the natural and beneficial values of the floodplain or lives and property. The new building would be a flood resistant structure. When complete, this project will mitigate the incapacitation of the facility and allow it to remain operational during storm events so that this critical wastewater facility can provide continuous service to the residents of the City of Schenectady during emergencies.

Floodplain maps based on the most recent FEMA Preliminary FIRM Data for the Project Areas and a draft Floodplain Management Plan (8-step process) documenting compliance with Executive Order 11988 can be viewed online at: <http://www.stormrecovery.ny.gov/environmental-docs>

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains can

facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Prior to finalization on May 16, 2019, any individual, group, or agency may submit written comments on the Draft Floodplain Management & Wetland Protection Plan (<http://www.stormrecovery.ny.gov/environmental-docs>) to Lori A. Shirley, Governor's Office of Storm Recovery, HCR, 38-40 State Street, Albany, NY 12207, 9:00 AM- 5:00 PM; email: NYSCDBG_DR_ER@nyshcr.org. All comments must be received no later than 5pm on May 16, 2019.

REVISED 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 Revised FONSI. On November 14, 2018, GOSR published a FONSI for the Proposed Project, soliciting public comment on the EA and FONSI. GOSR received comments from the public that led GOSR to revise the EA to address those comments. Therefore, GOSR did not submit a request for release of funds pursuant to its November 14 Notice. Instead, GOSR is republishing this Combined Notice to provide the public an opportunity to review and comment on the Revised EA. Subject to public comments, no further environmental review of the Proposed Project is anticipated. HCR has determined that the Revised 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 and Revised 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, 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, 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 Revised FONSI and/or NOIRROF: 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 May 24, 2019 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 May 24, 2019: Governor's Office of Storm Recovery, HCR, 38-40 State Street, Albany, New York 12207. All comments must be received on or before 5 pm on May 24, 2019 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 May 28, 2019, 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, Phone: (202) 402-4649.

Lori A. Shirley
Certifying Officer
May 9, 2019