



PUBLIC NOTICE

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI),
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF),
AND FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED
ACTION IN A 100-YEAR FLOODPLAIN**

**OWEGO GATEWAY PROJECT
VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK**

July 14, 2017

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 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 the Nelson Development Group to construct a new three-story multi-family, mixed-use development building located at 200-204 Front Street, in the Village of Owego, Tioga County, New York.

The 0.12-acre Project site was formerly part of a row of attached buildings located on Front Street. In the early hours of July 1, 2000 the original buildings located at 200-204 Front Street in Owego, were destroyed by a fire. The buildings were condemned, and the demolition began the next day due to serious safety concerns. The property has remained vacant, aside from the foundation and existing shared side walls from the original building that remain at the site, and a wooden deck that was constructed in 2012 to improve the aesthetics of the under-utilized site.

The proposed Project site lies just north of The Owego Riverwalk on the shore of the Susquehanna River. The Riverwalk, built in 2009 and opened in 2010, connects two local parks (Ahwaga Park and Draper Park).

The property is located in the Village of Owego's historically designated Central Business zoning district. Permitted uses in the Central Business district include stores and shops for the conducting of any retail business, and all uses permitted in the Residential 3 Districts, which allows for multiple family dwellings (three-family, or more dwelling units).

The property is located in FEMA Flood Zone AE (1.0 percent chance annual flood hazard) and within the Clinton Street Ball Park Sole Source Aquifer.

The proposed new building would infill between the existing buildings, and would help maintain the structural integrity of the neighboring row buildings. The original foundation of the previous building and the existing wooden deck would be deconstructed. The property would be in-filled with a new 11,380 square foot three-story building with a total of 7,805 square feet for residential space and 3,575 square feet for commercial space. The first floor would have six retail incubator/office spaces, and the two upper floors would have a total of eight 2-bedroom residential rental units. The Project would connect to all existing utilities including Suez water, Village of Owego municipal sewer, and NYSEG electric and natural gas. On street parking that is open to the public would be available for tenant use. The estimated total cost for the Proposed Project is \$2,915,452, funded with up to \$1,600,000 from the CDBG-DR program.

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 the Governor's Office of Storm Recovery on June 8, 2017, in the Binghamton Press and Sun Bulletin and is posted at <http://www.stormrecovery.ny.gov/environmental-docs>. Comments were received from the NYS Department of Transportation regarding allowable highway work and permits. These comments are incorporated into and addressed in the EA.

The entire 0.12-acre site is in the 100-year floodplain. The northern portion of the Project site lies 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 36107C0382E, Revised April 17, 2012. The southern portion of the site is within the floodway in SFHA Zone AE. The new structure would not be within the floodway but would be within SFHA Zone AE. The proposed activity entails building a new 11,380 square foot three-story multi-family, mixed-use development building in place of two buildings located at 200-204 Front Street that were destroyed by fire.

The proposed new building will infill between the existing buildings, and will help maintain the structural integrity of the neighboring row buildings. The building façade will be in keeping with the historic storefront design. The Project will result in the redevelopment of the entire 0.12-acre site. The property would be in-filled with a new 11,380 square foot three-story building with a total of 7,805 square feet for residential space and 3,575 square feet for commercial space. The first floor would have six retail incubator/office spaces, and the two upper floors would have a total of eight 2-bedroom residential rental units. The basement floor plan is designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. The proposed building would have a finished first floor elevation 2.5 feet above the 100-year base flood elevation (BFE) to comply with the Village of Owego's Flood Damage Prevention Requirements. There would be no relative change to the level of development of the floodplain at the project site.

The project site has been fully developed in an urban area and zoned for urban use. Any redevelopment of the site would still be urban. The proposed action overall represents an improvement to the current nature of the project site and would support the existing structures to each side. The new building would be a flood resistant structure.

Floodplain maps based on the most recent FEMA Preliminary FIRM Data for the Project Areas, wetlands maps based on the National Wetland Inventory, 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/wetlands 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/ wetlands 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/ wetlands, it must inform those who may be put at greater or continued risk.

Prior to finalization on July 31, 2017, any individual, group, or agency may submit written comments on the Draft Floodplain Management & Wetland Protection Plan 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; phone: (518) 474-0700. All comments must be received no later than 5pm on July 31, 2017.

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 environmental 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. 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 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 July 31, 2017 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 July 31, 2017: Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 pm on July 31, 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 August 1, 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.

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
July 14, 2017