



Governor's Office of Storm Recovery



Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

May 4, 2016

By Overnight Mail and Electronic Mail

Tennille S. Parker, Director
Disaster Recovery and Special Issues Division
Office of Block Grant Assistance
U.S. Department of Housing and Urban Development
451 7th Street, SW, Room 7272
Washington, D.C. 20410

Re: RROF and Environmental Certification for NYS CDBG-DR: Peconic Crossing, 11 West Main Street, Riverhead, Suffolk County, NY

Dear Ms. Parker

Attached is a Request for Release of Funds (RROF) and Environmental Certification for the above referenced project- Peconic Crossing, located in Riverhead, Suffolk County, NY. The Governor's Office of Storm Recovery, operating under the auspices of the New York State Homes and Community Renewal's Housing Trust Fund Corporation, performed an environmental assessment for the project pursuant to 24 CFR Part 58 for the activities covered by the RROF.

Pursuant to 24 CFR Section 58.70, the joint Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF) was published on April 18, 2016 (see attached copy of the FONSI-NOI/RROF and the affidavit of publication). No comments were received.

If you have any questions concerning this submission, please contact me at (518) 474-0755 or by electronic mail at Lori.Shirley@nyshcr.org

Sincerely,

Lori A. Shirley
Deputy Director, Bureau of
Environmental Review and Assessment,
Governor's Office of Storm Recovery
Housing Trust Fund Corporation

Attachments

CC By Electronic Mail:

disaster_recovery@hud.gov

Allen Handelman, Conifer, LLC

Michael Birkby, Conifer, LLC

Pauline Friday, NYSHCR

Lisa Bova-Hiatt, Executive Director, GOSR

Thehbia Hiwot, Managing Director- Housing, GOSR

Paul Lozito, Director- Policy & Affordable Housing, GOSR

Thomas J. King, Assistant General Counsel, GOSR

Amy Lentz, Environmental Records Manager, GOSR

Clifford Jarman, Tetra Tech

Theresa Fretwell, Regional Environmental Officer, HUD

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 07/31/2017)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
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11. Program Activity/Project Description

5,440,000

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

X 

Title of Certifying Officer

Date signed

Address of Certifying Officer

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

X

Title of Authorized Officer

Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)



PUBLIC NOTICE

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

PECONIC CROSSING

APRIL 18, 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.

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 carry out the Peconic Crossing Project (the Project), located at 11 West Main Street, Riverhead, Suffolk County, New York.

On August 28, 2011, Hurricane Irene caused flooding, fallen trees, property damage, and power outages in Suffolk County. A little over one year later, Hurricane Sandy made landfall over the New York coast on October 29, 2012, causing substantial damage in communities throughout Suffolk County. In the wake of such devastation, the importance of building more resilient structures in less vulnerable locations is vital to establishing a more storm-resistant Long Island. Creation of new affordable housing in eastern Long Island is an important component of Suffolk County's overall recovery and it makes sense to construct new housing away from areas of the county that are more susceptible to storm damage. The Town of Riverhead was not as hard hit as communities on the South Shore.

The 0.51-acre Project site is currently completely developed with two connected commercial buildings currently occupied by the Long Island Science Center. The remainder of the property consists of asphalt paved parking area. Peconic Crossing, LLC is proposing to demolish the existing structures and construct a new five-story building consisting of a four-story wood frame structure built over a single-story masonry parking structure. The Science Center would relocate down Main Street to a larger facility in Riverhead. The new Project would include 45 residential units (16 one-bedroom units and 29 two-bedroom units), a parking garage with 33 spaces (2 handicap spaces), a fitness room, community room, on-site

laundry, and an on-site management office. The exterior of the building would consist of brick and cast stone. Access would be from West Main Street. The Project would create housing for 74-119 residents. Five of the 45 units would be set aside for households earning up to 50 percent of the area median income (AMI); 35 units would be set aside for those earning up to 60 percent AMI, and 5 units for those earning up to 90 percent AMI.

The Project site is zoned “DC”-Downtown Center, which allows multi-family housing. Adjacent and nearby land uses include a mix of commercial/industrial and residential uses: north across Main Street are restaurants and retail stores, to the east is a bank, to the south the Peconic River, and to the west commercial retail stores.

While the new building would be partially within the 100-year floodplain, the first floor of the new building will consist of a parking structure made of flood resistant materials. Other resiliency measures would include residential units and equipment located in the second through fifth floors above the base flood elevation. Where stormwater is not able to be directed to landscaped filter strips, it will be directed to leaching galleys/chambers beneath the parking areas using a system of catch basins and piping.

The estimated total Project cost is \$17,650,928, funded with up to \$5,440,000 from the CDBG-DR program.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for the 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 Project would 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: Governor’s Office of Storm Recovery NYS Homes & Community Renewal, 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 the HUD Field Office and is being published in “*Newsday*,” 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 their comments with

“notice” and their address. Comments should be submitted via email, in the proper format, on or before Tuesday, May 3, 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 Tuesday, May 3 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 Tuesday, May 3, 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 Wednesday, May 4, 2106, 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
April 18, 2016

NEWSDAY AFFIDAVIT OF PUBLICATION

TETRA TECH INC
1401 LIME ROCK DR
ROUND ROCK, TX 78681

STATE OF NEW YORK)

Legal Notice No.

0021173721

:SS.:

COUNTY OF SUFFOLK)

R. Lopes of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

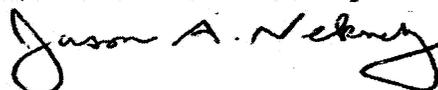
April 18, 2016

Suffolk

SWORN to before me this
25 Day of April, 2016.



Jason A. Neknez
Notary Public, State of New York
No. 01NE6219108
Commission Expires 03/22/2018
Qualified in Suffolk County



Ad Content

Legal Notice # 21173721

PUBLIC NOTICE COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS PECONIC CROSSING APRIL 18, 2016

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Lori A. Shirley
Certifying Officer
April 18, 2016

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Date: _____