Governor's Office of Storm Recovery

Andrew M. Cuomo
Governor

Lisa Bova-Hiatt
Executive Director

February 17, 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: 13 State Street (former YMCA), Schenectady

Dear Ms. Parker

Attached is a Request for Release of Funds (RROF) and Environmental Certification for the above referenced project- 13 State Street (former YMCA), located in Schenectady New York. The Governor's Office of Storm Recovery, operating under the auspices of the New York State Homes and 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 25 CFR Section 58.70, the Notice of Intent to Request Release of Funds (NOI/RROF) and Finding of No Significant Impact (FONSI) were published on January 29, 2016 (see attached copy of the NOI/RROF and FONSI and the affidavit of publication). The comment period was left open through Tuesday, February 16, 2016, on account of the federal holiday on Monday, February 15, 2016. 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

Attachments

CC By Electronic Mail:

disaster_recovery@hud.gov
Theresa Fretwell, Regional Environmental Officer, HUD
Lori Harris, Norstar Development
Emily Hamilton, NYSHCR
Lisa Bova-Hiatt, Executive Director, GOSR
Leo Quigley, GOSR
Thomas J. King, Assistant General Counsel, GOSR
Clifford Jarmen, Tetra Tech

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)
Community Development Block Grant - Disaster Recover (CDBG-DR)	B-13-DS-36-0001	
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
	NYS Homes & Community Renewal 38-40 State Street Albany, NY 12207	
6. For information about this request, contact (name & phone number)		
Lori A. Shirley, GOSR (518-474-0755)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	
HUD, Office of Block Grant Assistance Disaster Recovery and Special Issues Division 451 7th Street SW, Washington, D.C. 20410		

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)
13 State Street- rehabilitation of an existing, vacant building into affordable housing for senior citizens.	13 State Street, City of Schenectady, County of Schenectady, New York

11. Program Activity/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 13 State Street Project- the rehabilitation of a vacant, former YMCA building into affordable housing for senior citizens.

Norstar Development USA L.P. is proposing to renovate the existing property, a vacant, 1926-era, former YMCA facility, to provide low-income housing for senior citizens, and commercial/community supportive facility space. The interior of the building would be renovated into a senior living complex, including 61 residential units and a community room, fitness room, kitchen, library/computer room, and a multipurpose room. Exterior improvements would include removal and replacement of existing fences, landscaping, and repaving and restriping parking and access areas. Onsite parking would be available to tenants and staff. The existing utility connections would be retained.

The Project would convert the existing building into affordable, senior living residence, restoring the larger first-floor spaces for use as community rooms and a future commercial tenant, and adapting the smaller spaces and upper floors into apartments. A new elevator, four-story stairwell, and one-story handicap accessible back entrance would be constructed and the front entrance chair lift would be repaired. Exterior improvements would include cleaning and repair of brickwork and mortar following SHPO's preservation approval conditions.

The estimated total Project cost is $18,284,000, funded with up to $6,675,000 from the CDBG-DR program.

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	Title of Certifying Officer
X	Deputy Director, Bureau of Environmental Review and Assessment, GOSR
	Date signed February 17, 2016

Address of Certifying Officer

NYSHCR, Hampton Plaza, 38-40 State Street, Albany, NY 12207

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	Title of Authorized Officer
X	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

13 State Street Project

January 29, 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 13 State Street Project (the Proposed Project), located at 13 State Street, Schenectady, Schenectady County, New York.

Norstar Development USA L.P. is proposing to renovate the existing property, a vacant, former YMCA facility, to provide low-income housing for senior citizens, and commercial/community supportive facility space. The interior of the building would be renovated into a senior living complex, including 61 residential units and a community room, fitness room, kitchen, library/computer room, and a multipurpose room. Exterior improvements would include removal and replacement of existing fences, landscaping, and repaving and restriping parking and access areas.

The building is a 1926-era, four-story, masonry building with a 1968 building addition. The front of the 1st and 2nd floors was designed primarily for the YMCA's social and educational programs while the rear of the 1st and 2nd floors, were for the athletic/physical programs. The 3rd and 4th floors were entirely dormitory housing. The YMCA operations moved to a new location in the community in 2010, and the residential program moved to a new location in the summer of 2014. The Project site is zoned "C-4," Downtown Commercial District and "RH-2," Stockade Historic Residential District. Properties adjoining the Project site include offices, residential apartments, and houses to the north; residential apartments, an office, and a dry-cleaner to the east; State Street, a small park, a bus stop, commercial properties, and residential apartments to the south; and offices, commercial properties, and residential buildings to the west.

The Project would convert the existing building into a low-income, senior apartment complex, restoring the larger first-floor spaces for use as community rooms and a future commercial tenant, and adapting the smaller spaces and upper floors into apartments for seniors. A new elevator, four-story stairwell, and one-story handicap accessible back entrance would be constructed and the front entrance chair lift would be repaired. Exterior improvements would include cleaning and repair of brickwork and mortar following SHPO's preservation approval conditions.

There would be 61 residential units: 47 one-bedroom, one-bath units; 12 one-bedroom, one-bath units with dens; and two two-bedroom one-bath units. Amenities would include common area laundry facilities located on each floor and a community room, fitness room, kitchen, library/computer room, and a multipurpose room. Onsite parking would be available to tenants and staff. The existing utility connections would be retained.

The estimated total Project cost is $18,284,000, funded with up to $6,675,000 from the CDBG-DR program.

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 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: NYS Homes & Community Renewal, Governor's Office of Storm Recovery, 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 *"The Daily Gazette"* 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 Monday, February 15, 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 Monday, February 15, 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 Monday, February 15, 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, February 17, 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
January 29, 2016

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK)
ss
CITY AND COUNTY OF SCHENECTADY

Gloria Cabrera of the City of Schenectady, being duly sworn, says that she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

01/29/16

Sworn to or affirmed before me on 02/01/2016.

Notary Public

LISA J. BALDWIN
COMMISSION OF DEEDS
MY COMMISSION EXPIRES
1221-17

Ad ID 2251169

PUBLIC NOTICE

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
13 State Street Project
January 29, 2016

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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: NYS Homes & Community Renewal, Governor's Office of Storm Recovery, 38-40 State Street, Albany, New York 12207. Contact: Lori A. Shirley (518) 474-0755.

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REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or about Thursday, March 3, 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.

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Lori A. Shirley
Certifying Officer
January 29, 2016
1/29 2251169