



# GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



## PUBLIC NOTICE

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

**February 26, 2015**

Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12231  
(646) 417-4660

**Name of Responsible Entity and Recipient:** This combined notice pertains to activities to be undertaken through funding assistance by the New York State Housing Trust Fund Corporation (HTFC) as Responsible Entity with administration by the Governor's Office of Storm Recovery (GOSR) on behalf of the HTFC. Contact: Thomas King, Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12231.

This two-part notice is intended to satisfy two separate but related National Environmental Policy Act of 1969 (NEPA) procedural requirements and the interested public is advised to specify in any comments provided which notice part they are directed to. Per 24 CFR Part 58.33, the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) will be published simultaneously with the submission of the Request for Release of Funds (RROF). The funds are needed on an emergency basis due to a declared disaster resulting from the impacts of Tropical Storm Lee and Hurricane Irene. As a result, the comment periods for the FONSI/NOIRROF and the RROF have been combined.

**Project Description:** GOSR intends to undertake the following project, funded by United States Department of Housing & Urban Development's (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) funds under the New York Rising Community Reconstruction Program. Under this program, GOSR proposes to provide funds to the Village of Johnson City, located in Broome County New York. The proposed action is rehabilitation of an unnamed intermittent stream/drainage ditch spanning approximately 3,500 linear feet – bounded on the north by Penna Road, on the east by Reynolds Road, on the west by Anna Maria Drive, and the southern limits of the work is adjacent to Tokos Grove Road. Rehabilitation of the intermittent stream/ drainage ditch will stop the severe loss of residential land to erosion and will reduce sediment loads downstream to a stormwater retention facility.

## FINDING OF NO SIGNIFICANT IMPACT

GOSR prepared an Environmental Assessment pursuant to 24 CFR Part 58 Subpart E and determines that this project is not an action which will result in a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement under NEPA is not required and will not



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be prepared. GOSR, as Responsible Entity, is publishing this FONSI and sending it to identified interested parties, appropriate involved government agencies, and local news media. An Environmental Review Record (ERR) documenting the environmental determinations supporting this FONSI is on file and available for public inspection during normal business hours (9 A.M. - 5 P.M) in accordance with 24 CFR Part 58 at the office listed below. The NEPA Environmental Assessment documenting the FONSI may be viewed and downloaded at:

<http://www.stormrecovery.ny.gov/environmental-docs>

GOSR has determined that the ERR for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58, et al.

**Public Review:** Public viewing of the ERR is available on the internet and is also available in person and may be examined or copied non-holiday weekdays from 9:00 AM - 5:00 PM at the following address:

*Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12231  
Contact: Thomas King (646) 417-4660*

Further information also may be requested at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org).

## **PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with the FONSI determination or desiring to comment on the project may submit written comments to both Thomas King, GOSR, 99 Washington Avenue, Suite 1224, Albany, New York 12231, and Tennille Smith Parker, Director, Disaster Recovery & Special Issues Division, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Comments may also be submitted via email at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). All comments received 15 days following the date of first publication of this notice will be considered by GOSR prior to authorizing submission of a request for release of funds.

## **REQUEST FOR RELEASE OF FUNDS**

On or about the date of publication of this notice GOSR will request the U. S. Dept. of Housing & Urban Development (HUD) release Community Development Block Grant - Disaster Recovery (CDBG-DR) funds under the Housing & Community Development Act of 1974 and Public Law 113-2, under the Community Reconstruction Program.

## **RELEASE OF FUNDS**

GOSR certifies to HUD that Thomas King acting in the capacity of Certifying Officer consents to accept jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to



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the environmental review process and that these responsibilities have been satisfied. GOSR's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will consider objections to its release of funds and GOSR's certification for a period of 15 days following the anticipated submission date, or its actual receipt of the request (whichever is later), only if they are on one of the following bases: (a) the certification was not executed by GOSR's Certifying Officer; (b) GOSR omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other project participants have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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 & Special Issues Division*  
*Office of Block Grant Assistance*  
*U.S. Department of Housing & Urban Development*  
*451 7<sup>th</sup> Street SW*  
*Washington, DC 20410*  
*Phone: (202) 402-4649*

Sincerely,

Thomas King  
Certifying Environmental Officer  
Governor's Office of Storm Recovery

AFFIDAVIT OF PUBLICATION

State of New York
City of Binghamton
County of Broome, ss.:

JoAnn Gilmore being duly sworn, deposes and says that she is the Principal Clerk of the Binghamton Press Company Inc., publisher of the following newspaper printed in Johnson City published in the City of Binghamton New York and of general circulation in the Counties of Broome, Chenango, Delaware, Tioga State of New York and Susquehanna County State of Pennsylvania PRESS & SUN BULLETIN.

A notice of which the annexed is a printed copy, was published on the following dates:
January 16, 22, February 19, 26, 2015

Handwritten signature of JoAnn Gilmore

JoAnn Gilmore

Sworn to before me this
26th day of February, 2015

Handwritten signature of Patricia L. Devault
Notary Public

PATRICIA L. DEVAULT
Notary Public, State of New York
No. 01DE6312246
Qualified in Broome County
Commission Expires September 29, 2018

PUBLIC NOTICE
COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF)
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Thomas King acting in the capacity of Certifying Officer consents to accept jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. GOSR's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR to use Program funds.

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Tennille Smith Parker
Director, Disaster Recovery & 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

Potential objectors should contact HUD to verify the actual last day of the objection period.

Sincerely,
Thomas King
Certifying Environmental Officer
Governor's Office of Storm Recovery
2/26/2015