



PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) SUFFOLK COUNTY ROAD 12 (CR 12) RECONSTRUCTION AND RESILIENCY PROJECT

DECEMBER 24, 2015

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: Thomas J. King (518) 473-0015.

Pursuant to 24 CFR Section 58.43, this Notice of Finding of No Significant Impact (FONSI) satisfies the procedural requirement 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 for the repair and replacement of the dated and deficient CR 12 drainage system. The project entails the following, all designed to increase resiliency and minimize damage to the CR 12 roadway and drainage system: excavation to enable the replacement and repair of certain sections of the existing drainage system; full depth pavement patching, resurfacing, curb and sidewalk replacement; the installation of precast concrete stormwater treatment systems (STS) where highway stormwater runoff is discharged from CR 12; as well as new pavement markings plus the necessary traffic signal modifications to comply with the Americans with Disabilities Act (ADA). Additionally, a new culvert designed to handle a 100-year flood event will be installed under the section of road connecting the pond in Peterkin Park with Amityville Creek to replace an existing failing culvert (the "Proposed Project").

The project location is Suffolk County Road (CR 12) (West Oak Street) extending approximately 1.8 miles from County Lane Road (CR 1) in the Village of Amityville to Garfield Avenue in the Hamlet of Copiague, Suffolk County, New York. The project is to be funded with up to approximately \$7,500,000 from the Community Development Block Grant – Disaster Recovery (CDBG-DR) program.

To address the impacts of Superstorm Sandy, this project is designed to reconstruct a deficient Suffolk County road (CR 12) to bolster its efficiency, particularly during inclement weather events. During Superstorm Sandy, use of and reliance upon CR 12 was particularly heavy, as alternative east-west roads had to be closed due to severe flooding limiting emergency escape procedures and access to critical care facilities and evacuation shelters. CR 12 is the first and

closest east-west road north of the inundation zone.

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 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: Thomas J. King (518) 473-0015.

Further information may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyshcr.org or by calling (518) 473-0015. This 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: 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 January 8, 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 January 8, 2016: Governor’s Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, New York 12260. Comments may be received by telephone by contacting Thomas J. King at (518) 473-0015. All comments must be received on or before 5pm on January 8, 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 January 11, 2016, 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 Thomas J. King, in his 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 or 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.

Thomas J. King, Esq.
Certifying Officer
December 24, 2015

contact: Thomas J. King (518) 473-0015.

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Thomas J. King, Esq.
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