



PUBLIC NOTICE

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

FRONT STREET STORMWATER SEPARATION PROJECT

FEBRUARY 20, 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: Thomas J. King (518) 473-0015.

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 \$1,082,182 in CDBG-DR funding to the City of Binghamton to construct the Front Street Stormwater Separation project (the "Proposed Project").

The project area is limited to Front Street (Route 11) between Main Street and Prospect Street, an approximately 1-mile stretch of road in the West Side neighborhood of Binghamton, NY. The project area runs north-south, parallel to the Chenango River. The Proposed Project involves the replacement of approximately 1,600 linear feet of combined sewers and the separation of approximately 2,560 linear feet of storm and sanitary sewers. The areas identified for replacement and separation are in poor condition with partially blocked or deteriorated areas that impact the capacity of the sewer system. During storm events, the amount of storm water entering the city's combined system overwhelms the regional sewage treatment system and causes the release of untreated or minimally treated effluent into adjacent waterbodies.

The Proposed Project is intended to reduce the risk of localized flooding, mitigate damage from future flooding events, improve water quality, and improve public health and safety. The proposed improvements are part of a larger project being undertaken by the U.S. Federal

Highway Administration (FHWA). The FHWA project involves the full reconstruction of Front Street by narrowing pavement width, installing new curb lines, incorporating shared use travel lanes and parking lanes, installing new street lighting and signage, installing new bus shelters, and replacing existing water mains. Approximately \$3,736,051 in non-HUD funding has been approved for FHWA project, bringing the total project cost to approximately \$4,818,233.

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 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 March 7, 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 March 7, 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 March 7, 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 March 8, 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
February 20, 2016

AFFIDAVIT OF PUBLICATION

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

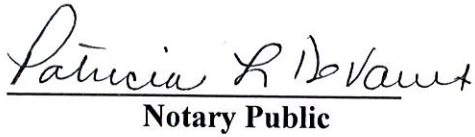
JoAnn Gilmore being duly sworn, deposes and says that she is the Principal Clerk of the Binghamton Press Company Inc., publisher of the following newspaper printed in Johnson City published in the City of Binghamton New York and of general circulation in the Counties of Broome, Chenango, Delaware, Tioga 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:
February 20, 2016



Jo-Ann Gilmore

Sworn to before me this **9th** day of **March**, 2016


Notary Public

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

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