



# Governor's Office of Storm Recovery



Andrew M. Cuomo  
Governor

Lisa Bova-Hiatt  
Executive Director

## PUBLIC NOTICE

### **COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRRF) FOR T&M PROPERTY MANAGEMENT, INC. AND RAINBOW MARINE ASSOCIATES, LLC**

**August 19, 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/NOIRRF) 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 the following two cases (the "Proposed Projects"):

**T&M Property Management, Inc. (103-ED-433-13).** GOSR proposes to provide CDBG-DR funding of \$100,000.00 to T&M Property Management, Inc. for the removal and disposal offsite of an existing 200-foot bulkhead and installation of a new 200-foot navy/smooth face bulkhead with zero returns and 12" higher in elevation. The associated decking will be removed, the area behind the old bulkhead will be dug out, materials will be stockpiled and reused, and the area will be backfilled and graded to the height of the new bulkhead. The rehabilitation of infrastructure damaged by Superstorm Sandy will be performed at the property located at 519 South Great Neck Road, Hamlet of Copiague, Town of Babylon, Suffolk County, New York 11726.

**Rainbow Marine Associates, LLC (103-ED-33686-2013).** GOSR proposes to provide CDBG-DR funding of \$100,000.00 to Rainbow Marine Associates, LLC for the removal and disposal offsite of an existing 77-foot section of deteriorated timber bulkhead and replacing it with a new 77-foot Navy-type bulkhead, as well as the installation of an anchor system. Project activities will involve minor dredging and excavation associated with the bulkhead replacement and the dredged sediment will be used to backfill the bulkhead. The rehabilitation of infrastructure damaged by

Superstorm Sandy will be performed at the property located at 185 Sumpwams Avenue, Town of Babylon, Suffolk County, New York 11702.

### **FINDING OF NO SIGNIFICANT IMPACT**

An Environmental Assessment (EA) for each 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 EAs are incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Projects is anticipated. HCR has determined that the EAs for the Proposed Projects identified herein comply with the requirements of HUD environmental review regulations at 24 CFR Part 58. HCR has also determined that the Proposed Projects will have no significant impact on the human environment and, therefore, do not require the preparation of environmental impact statements under NEPA.

**Public Review:** Public viewing of the EA for each Proposed Project 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, 38-40 State Street, Hampton Plaza, Albany, NY 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](mailto: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 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 Proposed Projects. The public is hereby advised to specify in their comments which “notice” and Project their comments address. Comments should be submitted via email, in the proper format, on or before September 6, 2016 at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto: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 September 6, 2016: Governor’s Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, NY 12207. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5 PM on September 6, 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 September 7, 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.

**Environmental Certification:** 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 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.

Lori A. Shirley  
Certifying Officer  
August 19, 2016