



## PUBLIC NOTICE

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

#### JOHNSON CITY WATER TREATMENT PLANT RESILIENCY IMPROVEMENTS

December 10, 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 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 demolish an existing storage building, construct a new administration and operations building at higher elevation, and flood-proof individual well houses at an existing water treatment plant site located in the Village of Johnson City, New York (the "Proposed Project").

### 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 with “notice” their comments address. Comments should be submitted via email, in the proper format, on or before December 25, 2015 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 December 25, 2015: 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 December 25, 2015 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 December 26, 2015, 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 7<sup>th</sup> Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Thomas J. King, Esq.  
Certifying Officer  
December 10, 2015

AFFIDAVIT OF PUBLICATION

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

Stacie Heath 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:  
12/10/2015

Stacie Heath  
Stacie Heath

Sworn to before me this 10<sup>th</sup> day of December, 2015

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

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**Public Comments on FONS 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 with "notice" their comments address. Comments should be submitted via email, in the proper format, on or before December 24, 2015 at [NYSDBG\\_DR\\_ER@nyshcr.org](mailto:NYSDBG_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 December 24, 2015: 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 December 24, 2015 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**

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