



# GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



September 19, 2014

## MEMORANDUM

**RE: COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI)  
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)  
NY RISING BULKHEAD REPAIR INITIATIVE FOR RESIDENTIAL PROPERTIES:  
ROCKLAND COUNTY, NY  
BY NEW YORK STATE HOUSING TRUST FUND CORPORATION**

*New York State Housing Trust Fund Corporation (HTFC)  
38-40 State Street  
Albany, NY 12207  
(518) 473-4732*

**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 New York State Housing Trust Fund Corporation (HTFC), of the same address. Contact: Thomas King, Esq.

This combined notice satisfies two separate procedural requirements for project activities to be undertaken.

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) would 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 Superstorm Sandy, which made landfall on October 29, 2012. As a result, the comment periods for the FONSI/NOIRROF and the RROF have been combined.

**Project Description:** HTFC intends to undertake the following project, funded by United States Department of Housing & Urban Development's (HUD) 2013 Community Development Block Grant—Disaster Recovery (CDBG-DR) funds under the NY Rising Bulkhead Repair Initiative for Residential Properties in Rockland County.

The activities associated with the NY Rising Bulkhead Repair Initiative for Residential Properties for Rockland County described herein would address unmet recovery needs of homeowners and tenants for which CDBG-DR funding shall be made available to Rockland County residents who qualify. NY Rising Bulkhead Repair Initiative for Residential Properties activities to be funded by CDBG-DR have been designed to provide assistance for repairing and/or reconstructing or replacing residential bulkheads. This initiative is anticipated to help mitigate future storm damage.

The initiative may also provide reimbursements for owners of bulkheads that have started or completed storm-related rehabilitation work with personal resources, subject to restrictions in line with applicable laws, regulations, and the initiative requirements.

This is the first tier of review in a 2-tiered process. The specific addresses of properties with bulkheads are not known at this time because the participating property owner identification process is ongoing. Therefore, under 24 CFR Part 58.15 (Tiering) and 24 CFR Part 58.32 (Project Aggregation), HTFC would use a tiered approach and once specific sites are determined, each site would be reviewed in compliance with the instructions established in the Tier 1 Review. No physical work would begin on bulkheads until all levels of environmental review are complete and found to be in compliance. Tier 1 review addresses specific environmental factors for which compliance has been documented, regardless of specific site locations. It prevents repeating the same compliance factors on a Tier 2 site-specific basis, once all participating homeowners are known.

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

A Tier 1 Environmental Review Record (ERR) was established and is maintained on file. The ERR is incorporated by reference into this FONSI. A full copy of the ERR, including a completed National Environmental Policy Act of 1969 (NEPA) Environmental Assessment Checklist, an Environmental Assessment Worksheet, and area map, is available for public inspection during normal business hours in accordance with 24 CFR Part 58 at the offices listed below or at <http://www.nyshcr.org/Programs/NYS-CDBG-DR/EnvironmentalReview.htm>.

HTFC 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.

HTFC has also determined that the project described herein, as proposed, would have no significant adverse environmental or socioeconomic impacts, either direct, indirect, or cumulative. There would be no significant impact on the human environment, and the action would not negatively impact the quality of the environment. Therefore, HTFC has determined that the project, as proposed, is not an action that would result in a significant impact on the quality of the human environment. Moreover, the project does not require an Environmental Impact Statement under NEPA.

**Public Review:** Public viewing of the ERR is available on the internet and is also available in person Monday – Friday, 9:00 AM - 5:00 PM at the following addresses:

*New York State Housing Trust Fund Corporation  
38-40 State Street  
Albany, NY 12207  
Contact: Thomas King, Esq. (518) 486-7512*

&

*Rockland County Office of Community Development  
50 Sanatorium Road  
Building K  
Pomona, NY 10970  
Contact: Community Development Office (845) 364-3939*

Further information may be requested at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org) or by calling HTFC at (518) 486-7512. 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 U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being published in newspapers of general circulation in the affected community.

### **Public Comments on FONSI/Findings and NOIRROF**

Any individual, group, or agency may submit written comments on this project. Those wishing to comment should specify in their comments which distinct part(s) of this Combined Notice they intend their comments to address. Comments should be submitted via email, in the proper format, on or before October 6, 2014 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 October 6, 2014.

*Thomas J. King, Esq.*  
*Certifying Officer*  
*Governor's Office of Storm Recovery*  
*99 Washington Avenue, Suite 1010*  
*Albany, NY 12231*

If modifications result from public comment, these would be made prior to proceeding with the expenditure of funds.

### **REQUEST FOR RELEASE OF FUNDS**

Written notice of environmental clearance would be required prior to the removal of any limitation on commitment of federal funds in accordance with regulations at 24 CFR Part 58.70.

On September 19, 2014, the HCR Certifying Officer would submit this 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 State CDBG-DR program.

HCR certifies to HUD that Thomas King, Esq., acting in 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 reviews, decision-making, and action, and that these responsibilities have been satisfied. Moreover, HCR certifies that a Tier 1 environmental review for the project described herein has been completed and that additional Tier 2 site-specific review would occur once the specific sites are identified. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows HTFC/HCR to use CDBG-DR funds.

**Objections to Release of Funds** - HUD would consider objections to the RROF and/or FONSI certification for a period of fifteen (15) days following the submission date or its actual receipt of the request (whichever is later). Potential objectors may contact HUD 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 the responsible entity's Certifying Officer;
- (b) The responsible entity has omitted or failed to make a step, decision, or finding required by HUD regulations at 24 CFR Part 58;
- (c) The responsible entity 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 writing in accordance with the required procedures and format (24 CFR Part 58) and shall be addressed to:

*Tennille Smith Parker*  
*Acting Director/Assistant 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 King, Esq.  
HCR Certifying Officer  
September 19, 2014

AFFIDAVIT OF PUBLICATION  
FROM  
**The Journal News**  
lohud.com

LINDA SALAMONE being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

ZONE DATE  
RK SEPTEMBER - 29 - 2014

Signed Linda Salomone

Sworn to before me  
This 19<sup>th</sup> day of SEPTEMBER 20 14

[Signature]  
Notary Public

LOLA M. HALL  
Notary Public, State of New York  
No. 0THA6112693  
Qualified in Westchester County  
Commission Expires July 6, 2016

- Legend:**
- Northern Area (AN):**  
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson
  - Central Area (AC):**  
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains
  - Southern Area (AS):**  
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers
  - Greater Westchester (GW or LGW):**  
Includes Northern area, Southern area and Central area. (See details below each area)
  - Westchester Rockland (WR):**  
Includes Greater Westchester area and Rockland area.
  - Rockland Area (A5, AR and RK):**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack
  - Express (XPWR):**  
Amawalk, Ardsley, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Cortlandt Manor, Cross River, Croton-on-Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Harrison, Hartsdale, Hastings, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Mahopac, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdy's, Putnam Valley, Rye, Scarsdale, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Waccabuc, White Plains, Yorktown Heights, Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack, Mt. Vernon, Yonkers

ORDER # 0000218306

