October 2, 2014

MEMORANDUM

RE: COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)
NY RISING HOUSING RECOVERY PROGRAM FOR 5+ UNIT RESIDENTIAL PROPERTIES: SARATOGA 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) 486-7512

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.

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 Housing Recovery Program for 5+ Unit Residential Properties in Saratoga County.

The activities associated with the NY Rising Housing Recovery Program for 5+ Unit Residential Properties in Saratoga County described herein would address unmet housing recovery needs of homeowners and tenants of rental properties, for which CDBG-DR funding shall be made available to Saratoga County residents who qualify. NY Rising Housing Recovery Program for 5+ Unit Residential Properties activities to be funded by CDBG-DR have been designed to provide assistance for repairing property, reconstructing homes, and mitigating properties for future resilience. This program is anticipated to provide permanent, sustainable housing solutions that allow these residents to return to their neighborhoods, where possible.

The program may also provide reimbursements for owners of five or more unit buildings and owners and renters of individual units in five or more unit buildings that have started or completed storm- related rehabilitation work with personal resources, subject to restrictions in line with applicable laws, regulations, and the program requirements.

This is the first tier of review in a 2-tiered process. The specific addresses of 5+ unit residential properties 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 properties 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 address:

New York State Housing Trust Fund Corporation
NYS Department of Homes and Community Renewal
38-40 State Street
Albany, NY 12207
Contact: Thomas King (518) 486-7512

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Monday 10:00 AM – 5:00 PM (closed on Monday from mid-September to mid-June), Tuesday to Thursday 10:00 AM – 7:00 PM, Friday 10:00 AM – 5:00 PM, and Saturday 10:00 AM – 1:00 PM at the following address:

Ballston Spa Public Library
21 Milton Avenue
Ballston Spa, NY 12020
Contact: Andrea Simmons (518) 885-5022

Further information may be requested at *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 17, 2014 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 October 17, 2014.

Thomas King
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 October 2, 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, 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 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
HCR Certifying Officer
October 2, 2014