



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



### PUBLIC NOTICE

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

**January 28, 2015**

Governor's Office of Storm Recovery  
25 Beaver Street, 5<sup>th</sup> Floor  
New York, New York 10004  
(212) 480-4644

**Name of Responsible Entity and Recipient:** This combined notice pertains to activities to be undertaken through funding assistance by the New York State New York State Housing Trust Fund Corporation (HTFC) as Responsible Entity with administration by the Governor's Office of Storm Recovery (GOSR) on behalf of the HTFC. Contact: Daniel Greene.

This two-part notice is intended to satisfy two separate but related National Environmental Policy Act of 1969 (NEPA) procedural requirements and the interested public is advised to specify in any comments provided which notice part it is directed to. Per 24 CFR Part 58.43, the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) will be published simultaneously. As a result, the comment periods for the FONSI/NOIRROF are for 15 days after the date of first publishing (24 CFR Part 58.45).

**Project Description:** GOSR 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 Economic Development Program including the Small Business Grant Program. Under this program, GOSR proposes to provide funds to T. Smith and Son Marine Services (impacted by Superstorm Sandy) located at 242 South Ketcham Avenue, Village of Amityville Suffolk County, NY. The proposed use of funds include \$50,600 for proposed reconstruction (\$8,000 demolition, \$1,600 stone work, \$13,000 carpentry, \$7,000 tile, \$3,000 painting, \$10,000 electric, and \$8,000 plumbing) and \$99,800 for future mitigation, which will entail the removal and disposal of existing bulkhead prior to installing approximately 155 linear feet of bulkhead using 16' vinyl sheeting with 6" x 8" top and bottom whalers. The new bulkhead will be raised an additional 18 inches in relation to the old bulkhead, and two new bulkhead returns will be installed at the property line at each end of the bulkhead.

### FINDING OF NO SIGNIFICANT IMPACT

GOSR prepared an Environmental Assessment pursuant to 24 CFR Part 58 Subpart E and determines that this project is not an action which will result in a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement under NEPA is not required and will not be prepared. GOSR, as Responsible Entity, is publishing this FONSI plus sending it to identified



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interested parties, appropriated involved government agencies, and local news media. An Environmental Review Record (ERR) documenting the environmental determinations supporting this FONSI is on file and available for public inspection during normal business hours (9 A.M. - 5 P.M) in accordance with 24 CFR Part 58 at the office listed below. The NEPA Environmental Assessment documenting the FONSI may be viewed and downloaded at:

<http://www.stormrecovery.ny.gov/environmental-docs>

GOSR 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.

**Public Review:** Public viewing of the ERR is available on the internet and is also available in person and may be examined or copied non-holiday weekdays from 9:00 AM - 5:00 PM at the following address:

*GOSR Office  
25 Beaver Street, 5<sup>th</sup> Floor  
New York, New York 10004  
Contact: Daniel Greene (212) 480-4644*

Further information also may be requested at [NYSCDBG DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org).

### **PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with the FONSI determination or desiring to comment on the project may submit written comments to both Daniel Greene, GOSR, 25 Beaver Street, 5<sup>th</sup> floor, New York, New York, 10004, and Tennille Smith Parker, Director, Disaster Recovery & Special Issues Division, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Comments may also be submitted via email at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). All comments received 15 days following the date of first publication of this notice will be considered by GOSR prior to authorizing submission of a request for release of funds.

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

Economic recovery, particularly for communities' small businesses, is an essential cornerstone of storm recovery in New York State. Thus, on or about 16 days after the date of publication of this notice, GOSR, will request the U. S. Dept. of Housing & Urban Development (HUD) to release Community Development Block Grant - Disaster Recovery (CDBG-DR) funds under the Housing & Community Development Act of 1974 and Public Law 113-2, under the Small Business Grant Program associated with storm recovery.

### **RELEASE OF FUNDS**

GOSR certifies to HUD that Daniel Greene acting in the capacity of Certifying Officer consents to accept jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. GOSR's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows GOSR



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to use Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will consider objections to its release of funds and GOSR's certification for a period of 15 days following the anticipated submission date, or its actual receipt of the request (whichever is later), only if they are on one of the following bases: (a) the certification was not executed by GOSR's Certifying Officer; (b) GOSR omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other project participants have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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 & 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*

Potential objectors should contact HUD to verify the actual last day of the objection period.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Greene'.

Daniel Greene  
Deputy General Counsel & Certifying Officer  
Governor's Office of Storm Recovery