

**PUBLIC NOTICE**  
**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)  
RECREATE NY HOME 1-4 UNIT REHABILITATION: WESTCHESTER COUNTY, NY  
BY NEW YORK STATE HOUSING TRUST FUND CORPORATION  
September 24, 2013**

*New York State Housing Trust Fund Corporation (HTFC)  
38-40 State Street  
Albany, NY 12207  
(518) 486-3379*

**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: Heather Spitzberg.

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) will 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 Hurricane 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 Recreate NY Home 1-4 Unit Rehabilitation Program for Westchester County.

The activities associated with the Recreate NY Home 1-4 Unit Rehabilitation Program for Westchester County described herein will address unmet housing recovery needs of homeowners and tenants of rental properties, for which CDBG-DR funding shall be made available to Westchester County residents who qualify. The Recreate New York Home Project 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 homeowners of 1-4 unit buildings that have started or completed Hurricane Sandy-related rehabilitation work with personal resources, subject to restrictions in line with applicable laws, regulations, and the requirements of the Recreate NY 1-4 Unit Rehabilitation Program.

This is the first tier of review in a 2-tiered process. The specific addresses of homes 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 will use a tiered approach and once specific sites are determined, each site will be reviewed in compliance with the instructions established in the Tier 1 Review. No physical work will 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 Work Sheet, 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.HCR.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, will have no significant adverse environmental or socioeconomic impacts, either direct, indirect, or cumulative. There will be no significant impact on the human environment, and the action will not negatively impact the quality of the environment. Therefore, HTFC has determined that the project, as proposed, is not an action that will 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  
Care of Office of Community Renewal  
NYS Department of Homes and Community Renewal  
38-40 State Street  
Albany, NY 12207  
Contact: Heather Spitzberg (518) 486-3379*

&

*Westchester County Department of Planning  
148 Martine Avenue, Room 414  
White Plains, NY 10601  
Contact: Norma Drummond (914) 995-2427*

Further information may be requested at [NYSCDBG\\_DR\\_ER@HCR.org](mailto:NYSCDBG_DR_ER@HCR.org) or by calling HTFC at (518) 486-3379. 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 Wednesday, October 9, 2013 at: [NYSCDBG\\_DR\\_ER@HCR.org](mailto:NYSCDBG_DR_ER@HCR.org). Written comments may also be submitted at the following address, or by mail, in the proper format, to be received on or before Wednesday, October 9, 2013:

*Ms. Heather Spitzberg, Certifying Officer  
Office of Community Renewal  
New York State Department of Homes & Community Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207*

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

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

Written notice of environmental clearance will 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 Tuesday, September 24, 2013, the HCR Certifying Officer will 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 Ms. Heather Spitzberg, 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 will 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 will 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*

Heather Spitzberg  
HCR Certifying Officer  
September 24, 2013

AFFIDAVIT OF PUBLICATION

FROM

The Journal News

lohud.com

CECILIA HERNANDEZ

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
GW SEP-24-2013

Signed Cecilia Hernandez

Sworn to before me This 24th day of SEPTEMBER 20 13

Jessie L Araujo D'Souza
Notary Public

JESSIE L ARAUJO DSOUZA
Notary Public, State of New York
No. 01AR6083528
Qualified in Westchester County
Commission Expires November 18, 2014

Legend:

Northern Area (AN):
Armswalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Coldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohogian 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):
Ardley, 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 (AS, AR and RK):
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Mosey, Nainet, 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):

Armswalk, 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, Golden Bridge, Granite Springs, Harrison, Hartsdale, Hastings, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Mahopac, Mamaroneck, Millwood, Mohogian 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, Mosey, Nainet, 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

DO # 3528581

**PUBLIC NOTICE  
COMBINED NOTICE OF  
FINDING OF NO  
SIGNIFICANT IMPACT  
(FONSI) AND  
NOTICE OF INTENT TO  
REQUEST RELEASE OF  
FUNDS (NOIRROF)  
RECREATE NY HOME 1-4  
UNIT REHABILITATION  
WESTCHESTER COUNTY, NY  
BY NEW YORK STATE  
HOUSING TRUST FUND  
CORPORATION  
September 24, 2013**

New York State Housing  
Trust Fund Corporation  
(HTFC)  
38-40 State Street  
Albany, NY 12207  
(518) 486-3379

**Name of Responsible Entity  
and Recipient:** New York  
State Homes and Commu-  
nity Renewal (HCR), 38-40  
State Street, Hampton Pla-  
za, Albany, NY 12207, in co-  
operation with New York  
State Housing Trust Fund  
Corporation (HTFC), of the  
same address. Contact:  
Heather Spitzberg.

This combined notice satis-  
fies two separate procedu-  
ral 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) will be pub-  
lished simultaneously with  
the submission of the Re-  
quest for Release of Funds  
(RROF). The funds are  
needed on an emergency  
basis due to a declared dis-  
aster resulting from the im-  
pacts of Hurricane Sandy,  
which made landfall on Oc-  
tober 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 fol-  
lowing project, funded by  
United States Department of  
Housing & Urban Devel-  
opment's (HUD) 2013 Com-  
munity Development Block  
Grant - Disaster Recovery  
(CDBG-DR) funds under the  
Recreate NY Home 1-4 Unit  
Rehabilitation Program for  
Westchester County.

The activities associated  
with the Recreate NY Home  
1-4 Unit Rehabilitation Pro-  
gram for Westchester Coun-  
ty described herein will ad-  
dress unmet housing recov-  
ery needs of homeowners  
and tenants of rental prop-  
erties, for which CDBG-DR  
funding shall be made avail-  
able to Westchester County  
residents who qualify. The  
Recreate New York Home  
Project activities to be  
funded by CDBG-DR have  
been designed to provide  
assistance for repairing  
property, reconstructing  
homes, and mitigating prop-  
erties for future resilience.  
This program is anticipated  
to provide permanent, sus-  
tainable housing solutions  
that allow these residents to  
return to their neighbor-  
hoods, where possible.

The program may also pro-  
vide reimbursements for  
homeowners of 1-4 unit  
buildings that have started  
or completed Hurricane  
Sandy-related rehabilitation  
work with personal re-  
sources, subject to restric-  
tions in line with applicable  
laws, regulations, and the  
requirements of the Re-  
create NY 1-4 Unit Rehabili-  
tation Program.

This is the first tier of review  
in a 2-tiered process. The  
specific addresses of homes  
are not known at this time  
because the participating  
property owner identifica-  
tion process is ongoing.  
Therefore, under 24 CFR  
Part 58.15 (Tiering) and 24  
CFR Part 58.32 (Project Ag-  
gregation), HTFC will use a  
tiered approach and once  
specific sites are deter-  
mined, each site will be re-  
viewed in compliance with  
the instructions established in  
the Tier 1 Review. No  
physical work will begin on  
properties until all levels of  
environmental review are  
complete and found to be in  
compliance. Tier 1 review  
addresses specific environ-  
mental factors for which  
compliance has been docu-  
mented, regardless of spe-  
cific site locations. It pre-  
vents repeating the same  
compliance factors on a Tier

A Tier 1 Environmental Re-  
view Record (ERR) was es-  
tablished and is maintained  
on file. The ERR is incorpo-  
rated by reference into this  
FONSI. A full copy of the  
ERR, including a completed  
National Environmental Pollu-  
tion Assessment Environ-  
mental Checklist, an Environmental  
Assessment Work Sheet,  
and area map, is available  
for public inspection during  
normal business hours in ac-  
cordance with 24 CFR Part  
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or at:  
<http://www.HCR.org/Programs/NYS-CDBG-DR/EnvironmentalReview.htm>.

HTFC has determined that  
the ERR for the project iden-  
tified herein complies with  
the requirements of HUD en-  
vironmental review regula-  
tions at 24 CFR Part 58, et al.

HTFC has also determined  
that the project described  
herein, as proposed, will  
have no significant adverse  
environmental or socioeco-  
nomic impacts, either direct,  
indirect, or cumulative.  
There will be no significant  
impact on the human envi-  
ronment, and the action will  
not negatively impact the  
quality of the environment.  
Therefore, HTFC has deter-  
mined that the project, as  
proposed, is not an action  
that will result in a signifi-  
cant impact on the quality  
of the human environment.  
Moreover, the project does  
not require an Environmen-  
tal Impact Statement under  
NEPA.

**Public Review:** Public view-  
ing 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 Care  
of Office of Community  
Renewal and Community  
Renewal 38-40 State Street  
Albany, NY 12207  
Contact: Heather Spitzberg  
(518) 486-3379  
&  
Westchester County  
Department of Planning  
148 Martine Avenue, Room  
414 White Plains, NY 10601  
Contact: Norma Drummond  
(914) 995-2427

Further information may be  
requested at [NYS-CDBG-DR.ER@HCR.org](http://NYS-CDBG-DR.ER@HCR.org) or by call-  
ing HTFC at (518) 486-3379.  
This combined notice is be-  
ing sent to individuals and  
groups known to be inter-  
ested in these activities, to  
local news media, appropriate  
local, state, and federal  
agencies, the regional office  
of U.S. Environmental Pro-  
tection Agency having juris-  
diction, and to the HUD field  
Office, and is being pub-  
lished in newspapers of gen-  
eral circulation in the af-  
fected 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 com-  
ments 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 Wednesday,  
October 9, 2013 at:  
[NYS-CDBG-DR.ER@HCR.org](mailto:NYS-CDBG-DR.ER@HCR.org).  
Written comments may also  
be submitted at the follow-  
ing address, or by mail, in  
the proper format, to be re-  
ceived on or before  
Wednesday, October 9,  
2013:

Ms. Heather Spitzberg,  
Certifying Officer  
Office of Community  
Renewal,  
New York State Department  
of Homes & Community  
Renewal  
38-40 State Street  
Hampton Plaza  
Albany, NY 12207

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

**REQUEST FOR RELEASE OF  
FUNDS**

Written notice of environ-  
mental clearance will be re-

On Tuesday, September 24,  
2013, the HCR Certifying Of-  
ficer will submit this request  
and certification to HUD for  
the release of CDBG-DR  
funds as authorized by relat-  
ed laws and policies for the  
purpose of implementing  
this part of the New York  
State CDBG-DR program.

HCR certifies to HUD that  
Ms. Heather Spitzberg, act-  
ing in capacity as Certifying  
Officer, consents to accept  
the jurisdiction of the U.S.  
federal courts if an action is  
brought to enforce responsi-  
bilities in relation to the en-  
vironmental reviews, deci-  
sion-making, and action,  
and that these responsibil-  
ities have been satisfied.  
Moreover, HCR certifies that  
a Tier 1 environmental re-  
view for the project de-  
scribed herein has been  
completed, and that addi-  
tional Tier 2 site-specific re-  
view will occur once the  
specific sites are identified.  
HUD's approval of the certi-  
fication satisfies its respon-  
sibilities under NEPA and re-  
lated laws and authorities,  
and allows HTFC/HCR to use  
CDBG-DR funds.

Objections to Release of  
Funds - HUD will consider  
objections to the RROF an-  
d/or FONSI certification for  
a period of fifteen (15) days  
following the submission  
date of its actual receipt of  
the request (whichever is  
later). Partial objectors  
may contact HUD to verify  
the actual last day of the ob-  
jection period.

The only permissible  
grounds for objections  
claiming a responsible enti-  
ty'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 reg-  
ulations at 24 CFR Part 58;
- (c) The responsible entity  
has committed funds or in-  
curred costs not authorized  
by 24 CFR Part 58 before re-  
lease of funds and approval  
of environmental certifica-  
tion; or
- (d) Another federal agency  
acting pursuant to 40 CFR  
Part 1584 has submitted a  
written finding that the pro-  
ject is unsatisfactory from  
the standpoint of environ-  
mental quality.

Objections must be pre-  
pared and submitted in writ-  
ing 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 Assis-  
tance  
U.S. Department of Housing  
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451 7th Street, SW  
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HCR Certifying Officer  
September 24, 2013