



**Governor's Office of
Storm Recovery**

ANDREW M. CUOMO
Governor

PUBLIC NOTICE

**COMBINED PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN,
FLOODWAY & WETLAND, AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (*NOI-RROF*)**

**UNCLE SAM HOLDING COMPANY LLC
50-62 FACTORY HILL ROAD, HOOSICK FALLS, TOWN OF HOOSICK,
RENSSELAER COUNTY, NEW YORK 12090**

FEBRUARY 16, 2018

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: Lori A. Shirley (518) 474-0755.

Pursuant to 24 CFR part 58 and 24 CFR part 55, this combined Final Notice and Public Explanation of a Proposed Activity in a Floodplain, Floodway and Wetland, and Notice of Intent to Request Release of Funds (NOI-RROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by HCR.

Project Description: GOSR proposes to provide HUD Community Development Block Grant-Disaster Recovery (CDBG-DR) funding to Uncle Sam Holding Company LLC for project activities located at 50-62 Factory Hill Road, Hoosick Falls, Town of Hoosick, Rensselaer County, New York 12090. HUD CDBG-DR funding totaling \$112,312.00 is proposed for future construction-related activities which includes \$42,879.00 in repairs and \$69,433.00 in mitigation for the rehabilitation of the North Hoosick Dam built in 1910 ("Proposed Project"). Project activities include those described below and in the Project Manual for the Rehabilitation of North Hoosick Dam, and might include additional activities required by regulating agencies and current conditions: 1) install, maintain, and remove cofferdam(s) and/or local diversion(s) for dewatering to perform work in dry conditions; 2) clear, grub, excavate, and dispose of materials; 3) demolish concrete structures, remove debris, and dispose off-site; 4) drill, grout and install anchor bars and dowels; 5) reinforce concrete for the east side abutment and wing wall; 6) reinforce concrete for the flume and intake structures; 7) procure and install the specified slide gates; 8) provide specified steel items for the gate operating structures; and 9) procure and install the gate operators and controls.

PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN, FLOODWAY & WETLAND

The Proposed Project would be located in a 100-year floodplain (SFHA Zone A), a floodway, and wetlands. Approximately 0.5 acre of floodplain and floodway would be disturbed, and approximately 0.2 acre of wetlands would be disturbed. Since the action will include new construction in floodplain, floodway, and wetlands, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands. The Proposed Project does not involve the siting of new or substantially improved buildings or structures in floodway and is a functionally dependent use. The Proposed Project would rehabilitate a deteriorating dam; making it less susceptible to a potentially catastrophic failure and mitigating damage from future flood events.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplains, floodways, and wetlands, and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains, floodways, and wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of

these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains, floodways, or wetlands, it must inform those who may be put at greater or continued risk.

Public Review: Public viewing of the Floodplain Management and Wetland Protection Documents are available online at <http://www.stormrecovery.ny.gov/environmental-docs> and are also available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or about February 26, 2018, the HCR certifying officer will submit a request and certification to HUD for the release of CDBG-DR funds appropriated under Public Law 113-2, as amended and as authorized by related laws and policies for the purpose of implementing the New York CDBG-DR Action Plan.

The Proposed Project is categorically excluded from the National Environmental Policy Act of 1969 (NEPA) by HUD regulations at 24 CFR Part 58. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file and available for review and copying in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: Governor’s Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755. The ERR is also available upon written request by post or email.

Public Review: Public viewing is available in person Monday – Friday, 9:00 AM – 5:00 PM at the following address: New York State Homes and Community Renewal (HCR), 38-40 State Street, Hampton Plaza, Albany, NY 12207. Contact: Lori A. Shirley (518) 474-0755.

Further information or a copy of the ERR may be requested by writing to the above address, emailing NYSCDBG_DR_ER@nyshcr.org or by calling (518) 474-0755. 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 the Proposed Activity within 100-year Floodplain, Floodway and Wetland, and/or NOIRROF: Any individual, group or agency may submit written comments on the Project. Comments should be submitted via email, in the proper format, on or before February 23, 2018 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 February 23, 2018: Governor’s Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, NY 12207. Comments may be received by telephone by contacting Lori A. Shirley at (518) 474-0755. All comments must be received on or before 5:00 PM on February 23, 2018 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

HCR certifies to HUD that Lori A. Shirley, in her 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 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 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649.

Lori A. Shirley
Certifying Officer
February 16, 2018