

CITY OF NEW YORK
OFFICE OF MANAGEMENT AND BUDGET (OMB)
New York City Economic Development Corporation (NYCEDC)

COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)

**COMBINED FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

This Notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of New York.

REQUEST FOR RELEASE OF FUNDS

On or about October 20, 2015, the City of New York (the City) anticipates submitting a request to the U. S. Department of Housing and Urban Development (HUD) for the release of CDBG-DR funds authorized by the "Disaster Relief Appropriations Act, 2013" (Public Law 113-2) to undertake the construction of the Saw Mill Creek Wetland Mitigation Bank in the borough of Staten Island in New York City. The New York City Economic Development Corporation (NYCEDC) proposes to construct the Saw Mill Creek Wetland Mitigation Bank as a means of facilitating both the long-term improvement and protection of critical coastal resources, and providing a predictable, efficient and environmentally responsible process to mitigate wetland and aquatic habitat impacts resulting from the construction of public and private projects. The Wetland Mitigation Bank would provide mitigation for authorized unavoidable impacts to waters of the U.S (including wetlands) which result from activities authorized under Sections 404 and 401 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, New York State Environmental Conservation Law (ECL) Article 15, Title 5 (Protection of Waters/Stream Disturbance) and New York State ECL Article 25 (Tidal Wetlands). Estimated CDBG-DR funding will total \$12,000,000.00.

FINDING OF NO SIGNIFICANT IMPACT

NYCOMB, as the City's Responsible Entity (RE) for the City for environmental reviews conducted under the CDBG-DR Program, has determined that the proposed project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) and Environmental Assessment (EA) on file with Mr. Calvin Johnson, Assistant Director, New York City Office of Management and Budget, 255 Greenwich Street, 7th Floor, New York, NY 10007, (212) 788-6024 and may be examined or copied on weekdays between 10:00 AM and 5:00 PM. The document may also be found at www.nyc.gov/cdbg.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments to NYCOMB at the address listed above. All comments received by close of business on October 19, 2015 will be considered by OMB prior to requesting the release of funds. Those wishing to comment should specify which part of this Notice they are addressing.

RELEASE OF FUNDS

NYCOMB certifies to HUD that Dean Fuleihan in his capacity as Certifying Officer of the CDBG-DR Program consents to accept the 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows OMB to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the NYCOMB's certification for a period of fifteen days following its actual receipt of the request only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of OMB; (b) OMB has 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 participants in the project 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 Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistant, HUD, 451 7th Street SW, Rm. 7272, Washington, DC 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

City of New York: Bill de Blasio, Mayor
Dean Fuleihan, Director of Management and Budget, Office of Management and Budget

Date: October 2, 2015