

Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds

This is to give notice that the City of New York - Department of Housing Preservation & Development (HPD) intends to utilize Project-Based vouchers (PBVs) from the U.S. Department of Housing and Urban Development's (HUD) Project-Based Section 8 Housing Assistance Payments Program, to be allocated by HPD and/or New York City Housing Authority (NYCHA), funding through the HOME Investment Partnership Program, Community Development Block Grant Disaster Recovery (CDBG-DR) allocated by New York City Office of Management (NYC OMB) and/or Mortgage Insurance from HUD's Risk Sharing program, to be allocated by the New York City Housing Development Corporation, in connection with the below-referenced project. The project may also seek funding from New York State Homes and Community Renewal. HPD is serving as the Responsible Entity (RE) for the environmental review of these actions pursuant to 24 CFR Part 58. This document constitutes the Notice of Finding of No Significant Impact on the Environment and the Notice of Intent to Request Release of Funds from HUD.

Financing is being sought in connection with the following new construction:

New Penn

The proposed project involves the construction of four new residential buildings containing 47 units of affordable independent senior housing on three non-contiguous properties located at 306 Pennsylvania Avenue (Block 3754, Lot 31), 392 Wyona Street (Block 3774, Lot 138), and 426 Wyona Street (Block 3791, Lot 25) in the East New York neighborhood of Brooklyn, Community District 5. Of the total 47 units, 24 households will receive PBVs allocated by the HPD.

Finding of No Significant Impact:

An environmental review record was established for the above referenced proposed project in accordance with 24 CFR 58.76 and is on file at HPD. Based on this review it has been determined that this project will not constitute actions significantly affecting the quality of the environment and, accordingly the City of New York has decided not to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969. The reasons for the decision not to prepare an EIS are as follows:

1. There are no significant adverse physical impacts, either direct or indirect, associated with this project;
2. There are no significant adverse social impacts, either direct or indirect, associated with this project; and
3. There are no significant adverse economic impacts, either direct or indirect, associated with this project.

Intent to Request Release of Funds:

The proposed activities require an Environmental Assessment (EA), as identified in HUD environmental regulations found under 24 CFR Part 58.36. The City of New York will certify to HUD in its request for release of funds that the City and HPD's Commissioner, in his official capacity as certifying officer, consents to accept jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making and action, and that these responsibilities have been satisfied.

Environmental review records established for this project are on file at HPD, Office of Development, Building and Land Development Services - Environmental Planning. Comments and/or objections to the disposition/obligation of funds for the aforementioned project must be submitted to HPD electronically

via email to nepa_env@hpd.nyc.gov on or before the 15th day following the date of this notice for all other projects listed. Only comments related to the environmental review will be considered. No comments or objections received after this date will be considered by HPD.

Objection to Request Release of Funds:

HUD will accept objections to its release of funds and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if objections are on one of the following bases: (a) the certification was not executed by the Certifying Officer of HPD; (b) the RE 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 has 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 Luigi D'Ancona at NY_PH_Director@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.