

**COMBINED NOTICES TO THE PUBLIC  
 NOTICE OF FINDING OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT  
 NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

To: All Interested Agencies, Groups, and Persons

On or about September 22, 2017, Erie County proposes to request the U.S. Department of Housing and Urban Development to release Federal funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) for the following project:

Project Title: 75-77 Center Street - Rental Housing Construction – City of Lackawanna  
 Purpose: The project involves the construction of one (1) single family home on a scattered site vacant lot in the City of Lackawanna’s First Ward neighborhood. The site while currently vacant is located in close proximity to built structures. The constructed home will be rented to a low income household.  
 Funds Requested: \$211,083- M-36-UC-2016, 2017  
 Location: 75-77 Center Street in the First Ward, City of Lackawanna, Erie County, NY  
 SEQR Status: Unlisted Action as per NYCCR, Part 617.5

As a result of this environmental review, it was determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly, Erie County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for such decision not to prepare such statement are as follows:

There may be minimum negative impacts during the construction phase of this project; however, these impacts are short-term and not of a magnitude that are considered to be significant. The land is owned by the City of Lackawanna and is currently vacant and there is no historic value; this is infill development. No construction related waste discharges to sanitary and storm sewers and clean up of any spills to protect against infiltration into local aquifer. Traffic flows on local and adjacent streets will be temporarily impacted by construction activity over the short term as will air quality due to noise and dust generated by construction equipment.

Over the long term, the addition of a new home will greatly enhance the quality of life for the First Ward. In an effort to improve infrastructure, accessibility and affordability this home will offer the opportunity for low income households to work towards homeownership. The addition of high-quality, affordable housing will benefit the community.

Phase I (Environmental Site Assessment) was completed and lead soil testing will be completed and remediation will take place if necessary prior to construction.

An Environmental Review Record has been made by Erie County which documents the environmental review of the project, and more fully set forth the reasons why such a statement is not required. This Environmental Review Record is on file at the Erie County Division of Planning, Room 1053, (95 Franklin Street, Buffalo, New York) and is available for public examination and copying upon request between the hours of 9:00 A.M. and 4:00 P.M. No further environmental review is to be conducted prior to the request for release of federal funds.

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the County to the Environmental Review Coordinator at the same office. All written comments received at this office on or before September 21, 2017 will be considered and the County will not request the release of Federal funds or take any administrative action on the project prior to this date.

Erie County will undertake the project described above with Home Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974, as amended. Erie County is certifying to HUD that Erie County, and Mark C. Poloncarz, in his official capacity as County Executive, consent to accept the 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. The legal effect of the certification is that upon its approval, Erie County may use the HOME funds and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: (a) that the Certification was not in fact executed by the chief executive officer or other officer of the applicant approved by HUD; (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process; (c) that the applicant committed funds or incurred costs not authorized by 24CFR Part 58 before approval of a release of funds by HUD; (d) another federal agency acting pursuant to 40CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality; (e) recipient in development process committed funds, incurred costs or undertook activities not authorized and approved by HUD; (f) responsible entity failed to make a finding pursuant to Sec. 58.40 or omitted one or more steps set forth for an EA or EIS.

Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to HUD at 465 Main Street, Buffalo, New York 14203.

Objections to the release of funds on bases other than those stated above will not be considered by HUD. No objection received following the 15<sup>th</sup> day (October 10, 2017) after HUD receives this request will be considered by HUD.

Mark C. Poloncarz  
County Executive  
95 Franklin Street  
Buffalo, New York 14202

Date: September 6, 2017

To be sent to: [www.legalsfpg@wny.twcbc.com](mailto:www.legalsfpg@wny.twcbc.com)

Lackawanna Housing Development Corp  
Hon. Geoffrey M. Szymanski, Mayor, City of Lackawanna  
NYS Department of Environmental Conservation  
NYS Division of Homes and Community Renewal  
Erie County Legislature  
Erie County Health Dept.  
Erie County Highway Div.  
Erie County Environment & Planning, Sewerage Mgmt. Div.  
HUD Buffalo Office  
465 Main Street, Buffalo, NY 14203