

Environmental Review Record
Town of AuSable Mobile Home Replacement Program

Responsible Entity:	Town of AuSable
NYS CDBG HTFC Project #:	60MH344-19
Town Address:	111 AuSable Street Keeseville, NY 12944
Certifying Officer:	Sandra Senecal

Prepared by:

Friends of the North Country, Inc.
1387 Hardscrabble Road
Cadyville, NY 12918

April 29, 2020

**DESIGNATION OF CERTIFYING OFFICER AND
ENVIRONMENTAL RESPONSIBILITY CERTIFICATION**

04/23/2020

(Date)

Nina Krupski

(Name of OCR Community/Economic Developer)

Office of Community Renewal

Hampton Plaza

38-40 State Street, 4th Floor

Albany, New York 12207

RE: CDBG Project Number: 60MH344-39

Dear Ms. Krupski:

I, Sandra Senecal, the authorized signatory for
(Name of Chief Elected Official)
Town of AuSable do attest that:
(Name of CDBG Recipient)

- I understand that any projects that include CDBG funds must be assessed in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFR Part 58.
- I understand that, except for actions involving activities determined to be Exempt (per 24 CFR 58.34 and NYS Office of Community Renewal procedures), *no physical alteration to individual sites can occur nor can funds for those activities be committed or expended until receipt of an environmental clearance letter* from the Housing Trust Fund Corporation and, for any subsequently identified specific sites, site-specific reviews are completed for which the Certifying Officer determines that there are no unanticipated impacts nor impacts not adequately addressed in the program review related to the environmental clearance letter and said Officer certifies such determination.
- I understand that should any part of a project site be physically altered, funds be committed, or funds be expended prior to receiving the appropriate environmental clearances, that the site will not be eligible for CDBG funding and the Town of AuSable may be responsible for any costs incurred except under the following circumstance: in the case of Exempt activities, concurrence from the NYS Office of Community Renewal that the particular action is Exempt prior to any physical alterations unless that action is taken to address an emergency situation in which case concurrence must be obtained no later than the first regular business day following such an event,
- I also notify you that Sandra Senecal, Town Supervisor, is
(Name of Certifying Officer) (Title)
designated as the *Certifying Officer* responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG project number 60MH344-39 awarded to Town of AuSable.
(CDBG Project Number) (Name of CDBG Recipient)

Sincerely,


Signature of Chief Elected Official

Sandra Senecal, Town Supervisor

Typed Name and Title

**FORM 2-3A
CERTIFICATION OF SEQRA CLASSIFICATION**

CDBG Project Number: 60MH344-19 Date 04/23/2020

Name and Title of Certifying Officer: Sandra Senecal Title Town Supervisor

Name of Responsible Entity: Town of AuSable

Address (e.g., Street No. or P.O. Box): 111 AuSable Street

Co/C/T/V, State, Zip Code+4: Keeseville NY 12944-0111

Telephone Number of Responsible Entity: (518) 834-9052

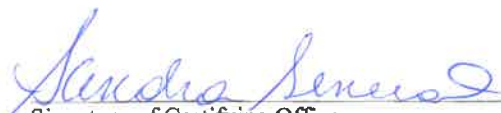
It is the finding of the Town of AuSable that the activity(ies) proposed in its 2019 NYS CDBG
Name of CDBG Grant Recipient Funding Year
project, Town of AuSable Mobile Home Replacement Program are:
Project Name

Check the applicable classification:

- Type I Action (6NYCRR Section 617.4)
 - Identify the Lead Agency _____
 - Evidence of Lead Agency Declaration and Consent attached
 - Copy of Environmental Notices Bulletin attached
- Type II Action (6NYCRR Section 617.5)
- Unlisted Action (not Type I or Type II Action)
 - Identify the Lead Agency _____
 - Evidence of Lead Agency Declaration and Consent attached

Check if applicable:

- Environmental Impact Statement (EIS) Prepared
- Draft EIS
- Final EIS



Signature of Certifying Officer

FORM 2-3

CERTIFICATION OF NEPA CLASSIFICATION

CDBG Project Number: 60MH344-19 Date 04/23/2020

Name and Title of Certifying Officer: Sandra Senecal Title Town Supervisor

Name of Responsible Entity: Town of AuSable

Address (e.g., Street No. or P.O. Box): 111 AuSable Street

Co/C/T/V, State, Zip Code+4: Keeseville NY 12944-0111

Telephone Number of Responsible Entity: (518) 834-9052

It is the finding of the Town of AuSable that the activity(ies) proposed in its 2019 NYS CDBG
Name of CDBG Grant Recipient Funding Year
project, Town of AuSable Mobile Home Replacement Program are:
Project Name

Check the applicable classification:

- Exempt as defined in 24 CFR 58.34 (a).
- Categorically Excluded as defined in 24 CFR 58.35(b).
- Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statutes and executive orders [i.e., exempt under 58.34(a)(12)].
- Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statutes and executive orders.

If neither exempt (24 CFR 58.34(a) nor categorically excluded (24 CFR 58.35(a) and (b) can be checked, Form 2-6 Environmental Assessment will be required.

- Part or all of the project is located in an area identified as a floodplain or wetland.
For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.
 - Affidavit of publication for Early Notice and Public Review of Proposed Activity Located in the 100 Year Floodplain attached
 - Affidavit of publication for Final Notice and Public Explanation of Proposed Activity Located in the 100 Year Floodplain attached


Signature of Certifying Officer

Form 2-4
NEPA Classification Checklist

CDBG Project Number: 60MH344-19 Date 04/23/2020

Name and Title of Certifying Officer: Sandra Senecal Title Town Supervisor

Name of Responsible Entity: Town of AuSable

Address (e.g., Street No. or P.O. Box): 111 AuSable Street

Co/C/T/V, State, Zip Code+4: Keeseville NY 12944-0111

Telephone Number of Responsible Entity: (518) 834-9052

Exempt Activities (24CFR58.34)
Select only one or more of the following that apply:

- Environmental and other studies, resource identification and development of plans and strategies [58.34(a)(1)].
- Information and financial services [58.34(a)(2)].
- Administration and management activities [58.34(a)(3)].
- Public services that will not have a physical impact or result in physical changes, such as services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)].
- Inspections and testing of properties for hazards or defects [58.34(a)(5)].
- Purchase of insurance [58.34(a)(6)].
- Purchase of tools [58.34(a)(7)].
- Engineering or design costs [58.34(a)(8)].
- Technical assistance and training [58.34(a)(9)].
- Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from physical disasters, imminent threats or physical deterioration [58.34(a)(10)].
- Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)].
- Any of the categorical exclusions listed in 58.35(a), provided that there are no circumstances which require compliance with any other federal laws and authorities cited in 58.5 [58.34(a)(12)].


Signature of Certifying Officer


Form 2-4
NEPA Classification Checklist

CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(a)]

Activities in this section require compliance with related laws and authorities at 24 CFR 58.5 and 58.6

Select only one of the following:

- Acquisition, repair, construction, reconstruction, rehabilitation or installation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent. Examples of this type of activity include replacement of water and sewer lines, reconstruction of curbs and sidewalks, street repaving [58.35(a)(1)].
- Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons [58.35(a)(2)].
- Rehabilitation of buildings and improvements for residential use (with one to four units), where the density is not increased beyond four units, the land use is not changed, and the footprint of the building isn't increased in a floodplain or in a wetland [58.35(a)(3)(i)].
- Rehabilitation of multifamily residential buildings (with five or more units), when the following conditions are met: a) unit density is not changed more than 20 percent, b) the project does not involve changes in land use from residential to non-residential; and c) the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation [58.35(a)(3)(ii)].
- Rehabilitation of non-residential structures, including commercial, industrial, and public buildings when the following conditions are met: a) the facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent, and b) the activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial or from one industrial use to another [58.35(a)(3)(iii)].
- An individual action on up to four dwelling units [not including rehabilitation (see 58.35(a)(3)(i) above)] where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between [58.35(a)(4)(i)].
- Acquisition (including leasing) or disposition of an existing structure, equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed or disposed of will be retained for the same use [58.35(a)(5)].
- Any combination of the above activities [58.35(a)(6)].


Signature of Certifying Officer

Form 2-4
NEPA Classification Checklist

CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(b)]

*Activities in this section require compliance with related laws and authorities at 24 CFR 58.6 only**

Select only one of the following:

- Tenant-based rental assistance [58.35(b)(1)].
- Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, state and federal government benefits and services [58.35(b)(2)].
- Operating costs including maintenance, equipment, supplies, staff training, staff recruitment, security, operation, utilities, furnishings and other incidental costs [58.35(b)(3)].
- Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations [58.35(b)(4)].
- Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction**, including closing costs and down payment assistance, interest buy downs, and similar activities that result in the transfer of title [58.35(b)(5)].
- Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact [58.35(b)(6)].
- Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental finding is not required under 58.47 [58.35(b)(7)].

*If a responsible entity determines that an activity or project identified above, because of extraordinary circumstances or conditions at or affecting the location of the activity or project may have a significant environmental effect, an environmental assessment must be prepared and a determination of significance made.

**This exclusion applies only to financial assistance for purchase of existing for-sale homes or homes under construction. Homebuyer assistance for units not under construction is classified as Categorically Excluded. In all cases, for this exclusion to apply, the prospective buyer must have discretion regarding selection of properties within the target area.


Signature of Certifying Officer

**Form 2-5 Statutory Checklist
Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name & CDBG No.: Town of AuSable Mobile Home Replacement 60MH344-19

Responsible Entity: Sandra Senecal

Grant Recipient: Town of AuSable

State/Local Identifier: New York

Preparer: Friends of the North Country

Certifying Officer Name and Title: Sandra Senecal

Consultant (if applicable): _____

Direct Comments to: Sandra Senecal, 111 AuSable Street, Keeseville, NY 12944

Project Location:

scattered sites within the Town of AuSable

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The Town of AuSable will use \$500,000 of NYS HCR CDBG funds to provide Mobile Home Replacement assistance to 5 low- income homeowners with Deferred Payment Loans (grants) for eligible, necessary replacements of dilapidated, aging, unsafe mobile homes. The DPLs will be secured by a 10 year declining balance Note and Mortgage. Households with incomes up to 80% are eligible. The program will be implemented on scattered sites throughout the town.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Funding Information

Grant Number	Federal/State/Other Program	Funding Amount
60MH344-19	CDBG HTF	\$500,000.00
CCMHRP20183034	HTF	\$76,375.00
CCMHRP20183093	HTF	\$29,000.00

Estimated Total HUD Funded Amount: \$605,375.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$605,375.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No Coastal Zone(s) in the town or region
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No projects in flood zone; cost of 1st year of flood insurance eligible expense if needed
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	For sites with ACMs, asbestos removal/abatement will be conducted in accordance with NYS DOL Part 56 req
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No Coastal Zone(s) in the town or region
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No project sites in previous landfills, dumps, industrial sites or hazardous materials CEO consult
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Prior to any non-exempt ground disturbing activities the town will consult with NYSDEC and US Fish and Wildlife
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	ASD will be considered for program projects
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No conversion of agricultural property to non-agricultural use will take place under the program
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The town will reference FIRM maps & confer with the local code official to ensure no work in floodplain
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Building Structure Inventory forms and photos to NYS OPRHP for review for property 50 years or older

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No project sites considered near major highway, RR line, airport(s) or other noise source
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wells and septic systems will comply with NYS and local DOH regulations
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Setbacks will be maintained
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	For sites in proximity to a designated waterway requiring site work, NYSDEC will be contacted to determine permit requirements.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The program is not anticipated to have any adverse impact on low- income or minority populations

STATE OR LOCAL STATUTES (to be added by Responsible Entity)		
State Historic Preservation Office (SHPO) Section 14.09 of the New York State Historic Preservation Act	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Building Structure Inventory forms and photos to NYS OPRHP for review for any property deemed to be more than 50 years or older
State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Type II activity(ies)
Coastal Zone Management Act (CZMA) 19NYCRR Part 600	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No Coastal Zone(s) in the Town or region
	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Field Inspection (Date and completed by): _____

Summary of Findings and Conclusions:

As noted in the checklist above, certain activities in the program may require review by cognizant authorities prior to construction.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Determination:

This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) **EXEMPT** project;

OR

This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds;

OR

This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: _____ Date: _____

Name/Title/Organization: Melissa Furnia, Executive Director, Friends of the North Country, Inc.

Responsible Entity Agency Official Signature:

 Date: _____

Name/Title: Sandra Senecal, Town Supervisor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

CLINTON COUNTY, NEW YORK



TOWN OF AUSABLE

Scattered sites within the Town of AuSable



TOWN OF AUSABLE

111 AUSABLE STREET, KEESEVILLE, NEW YORK 12944

TELEPHONE (518) 834-9052 FAX (518) 834-9519

AUSABLE: *The name is from a river that flows through the town and means "of the sand."*

April 15, 2020

Ruth Pierpont
NYS Division for Historic Preservation
Office of Parks, Recreation, Historic Preservation
Peebles Island State Park
PO Box 189
Waterford, NY 12188-0189

Dear Ms. Pierpont,

The Town of AuSable in Clinton County is the recipient of a 2019 CDBG Mobile Home Replacement grant. These funds are intended to assist low-moderate income individuals in the town with mobile home replacement needs. Friends of the North Country, Inc. as sub-recipient will follow SHPO procedures prior to assisting homeowners.

Please complete and sign the form on the following page, returning it in the enclosed self-addressed stamped envelope. This acknowledgement will remain in the files for the town.

Thank you for your assistance.

Sincerely,

Sandra Senecal

Town Supervisor

SANDRA SENECA, *Supervisor*

STEVEN D. SUCHARSKI ★ SCOT ZMIJEWSKI ★ JAMES KING ★ PAULA BEDARD, *Councilpersons*

TIM KENNEDY, *Highway Superintendent* (518) 834-3003

BONNIE L. HOPKINS, *Town Clerk/Collector* (518) 834-9035

SHPO ACKNOWLEDGEMENT

DATE: _____

The NYS Historic Preservation Office acknowledges receipt of notice from the Town of AuSable in Clinton County announcing their intent to begin a 2019 CDBG Housing Rehabilitation program town wide.

State Historic Preservation Office Representative



TOWN OF AUSABLE

111 AUSABLE STREET, KEESVILLE, NEW YORK 12944
TELEPHONE (518) 834-9052 FAX (518) 834-9519

AUSABLE: *The name is from a river that flows through the town and means "of the sand."*

April 15, 2020

Darren Bonaparte
Tribal Historic Preservation Office
Tribal Administration Office
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

Dear Mr. Bonaparte,

The Town of AuSable in Clinton County is the recipient of a 2019 CDBG Mobile Home Replacement grant. These funds are intended to assist low-moderate income individuals in the town with mobile home replacement needs. Friends of the North Country, Inc. as sub-recipient will follow THPO procedures prior to assisting homeowners.

Please complete and sign the form on the following page, returning it in the enclosed self-addressed stamped envelope. This acknowledgement will remain in the files for the town.

Thank you for your assistance.

Sincerely,


Sandra Senecal

Town Supervisor

SANDRA SENECAI, *Supervisor*

STEVEN D. SUCHARSKI ★ SCOT ZMIJEWSKI ★ JAMES KING ★ PAULA BEDARD, *Councilpersons*

TIM KENNEDY, *Highway Superintendent (518) 834-3003*

BONNIE L. HOPKINS, *Town Clerk/Collector (518) 834-9035*

SHPO ACKNOWLEDGEMENT

DATE: _____

The Tribal Historic Preservation Office acknowledges receipt of notice from the Town of AuSable in Clinton County announcing their intent to begin a 2019 CDBG Mobile Home Replacement program town wide.

Tribal Historic Preservation Office Representative