

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

Notice of Finding of No Significant Impact

The *County of Essex* gives notice that it has been determined that the project described below will not constitute an action significantly affecting the quality of the human environment and accordingly, *Essex County* has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA, 42 USC 4321). *Essex County* is assuming NEPA environmental review responsibilities for this project from the U.S. Department of Housing and Urban Development (HUD) according to HUD environmental review regulations at 24 CFR Part 58.

Program Title: *Keene Fire Department*

Location: *Keene Fire District*

Purpose of Project: *Replacement of Keene Fire Department Building*

Estimated Cost: *\$2,300,000*

The reasons for the decision not to prepare such Statement are as follows: The project is not of sufficient size, scale or mass and does not exceed the threshold criteria established for the preparation of a statement nor will the project have a significant impact on the human environment under NEPA.

An Environmental Review Record respecting the within project has been made by *Essex County* which documents the environmental review of the project and more fully sets forth the reasons why such Statement is not required. This Environmental Review Record is on file and available for public inspection during normal business hours at the following location

*Essex County Clerk's Office*

*7551 Court Street*

*Elizabethtown, NY 12932*

No further environmental review of this project is proposed to be conducted, prior to release of funds. Written comments on the substance or procedure of the environmental review will be accepted by *Essex County* at the following address until September 14, 2012.

*Michael Mascarenas, Certifying Officer*

*Essex County Department of Community Development*

All such comments so received will be considered and *Essex County* will not request the release of Federal funds or take any administrative action on the within project prior to the Notice of Intent to Request Release of Funds

This notice allows for procedural objections to the Office of Community Renewal (OCR) and is separate from the findings notice printed above. *Essex County* must certify to OCR that it has complied with all requirements of HUD environmental review regulations at 24 CFR Part 58, including receipt of public comments, before federal funds can be released for the project described above. *Essex County* will submit a request for release of grant funds and an environmental certification to OCR on or about *August 30, 2012*.

*Essex County* will undertake the program with NYS CDBG funds from OCR. *Essex County* is certifying to OCR that the *County of Essex and Michael Mascarenas* in his/her official capacity as Certifying Officer 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 OCR's approval, funds may be used for this program, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969 and other related laws and authorities. OCR 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 applicant approved by HUD; or b) that applicant's environmental review to the RROF for the

project omitted a required decision, finding, or step applicable to the project in the environmental review process, or c) other specific grounds in HUD regulations at 24 CFR 58.75.

An Environmental Review Record is on file at the address below and is available for public examination and copying, upon request, during normal business hours.

*Essex County Clerk's Office*

*7551 Court Street*

*Elizabethtown, NY 12932*

Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to: Matthew Nelson, President, Office of Community Renewal, Hampton Plaza 38- 40 State Street, 9<sup>th</sup> Floor, Albany, NY 12207

No objection after *September 14, 2012* will be considered.

*Michael Mascarenas*

Certifying Officer

*August 30, 2012*