

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

July 22, 2022
City of North Tonawanda
216 Payne Avenue
North Tonawanda, New York 14120

On or about August 1, 2022, the City of North Tonawanda will submit a request to the New York State Office of Community Renewal for the release of CDBG funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to provide financing for a portion of the cost of new machinery and equipment and working capital expenses to Canalside Harbor 2013 LLC (Dockside). Dockside proposes to redevelop 27-39 Main Street in the City of North Tonawanda into a multi-tenant, mixed use building, including a 3,500 SF food preparation kitchen. The total project cost will be \$1,675,000 with \$1,075,000 from owner equity and \$600,000 from NYS CDBG.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Review Policy Act requirements. An environmental review record (ERR) that documents the environmental determinations for this project is on file at the offices of the City of North Tonawanda located at 216 Payne Avenue, North Tonawanda, NY 14120 and may be examined or copied Monday through Friday from 8:30 AM to 4:30 PM.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of North Tonawanda located at 216 Payne Avenue, North Tonawanda, NY 14120. All comments received by close of business July 29, 2022, will be considered by the City of North Tonawanda prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

The City of North Tonawanda certifies to the Office of Community Renewal that Austin J. Tylec, Mayor, 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. The Office of Community Renewal's acceptance of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of North Tonawanda to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The Office of Community Renewal will accept objections to its release of fund and the City of North Tonawanda'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 they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of North Tonawanda; (b) the City of North Tonawanda 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 development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the Office of Community Renewal; 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, Sec. 58.76) and shall be addressed to Crystal Loffler, Acting President, at Office of Community Renewal, Hampton Plaza, 38-40 State Street, 4th Floor, Albany, NY 12207. Potential objectors should contact the Office of Community Renewal to verify the actual last day of the objection period.

Austin J. Tylec, Mayor
City of North Tonawanda
Certifying Officer