

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
FOR TIERED PROJECTS AND PROGRAMS**

Date of Publication: July 26, 2022

City of El Paso, Department of Community + Human Development
801 Texas Ave., 3rd Fl., (CITY 3)
El Paso, Texas 79901
915.212.0138

On or after August 15, 2022 the City of El Paso will submit a request to the Department of Housing and Urban Development, Ft. Worth, Texas for the release of 48th Year CDBG Entitlement Grant funds under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-530.1, to undertake the following project:

Tier 1 Broad Review Project/Program Title: Rebuilding Together El Paso

Purpose: Performing basic maintenance and minor rehabilitation repairs to home for El Paso's low-income elderly and/or disabled homeowners.

Location: 48th Year target District 2 and 4

Project/Program Description: Rebuilding Together El Paso, Inc. is a Volunteer Housing Rehabilitation Program that provides basic and necessary repairs to rejuvenate and/or rehabilitate the homes of El Paso's low-income elderly and/or disable homeowners. CDBG Entitlement funds will be used for 25 homes in District 2 and 25 homes in District 4. Maximum funds of \$5,000.00 per project. Repairs are made at no cost to the homeowner with hundreds of volunteers who do the majority of the work and donations of materials from private sources.

Tier 2 site-specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at Part 58.5: 58.35(a) (3).

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Airport Hazards (Clear Zones and Accident Potential Zones: 24CFR Part 51 Subpart D); Flood Insurance (Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 AND 42 USC 5154a]); Contamination and Toxic Substances (24CFR 50.3(i) & 58.5(i)(2)); Historic Preservation (National Historic Preservation Act of 1966, sections 106 and 110; 36 CFR Part 800); and Noise Abatement and Control (Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51, Subpart B).

Mitigation Measures/Conditions/Permits (if any): Airport Hazards, should project fall within the Airport Protection Zone (APZ) it is HUD's policy to discourage assistance. Flood Insurance, should project site fall within a flood hazard area (100-year/Special Flood Hazard Area) flood insurance must be provided. Contamination and Toxic Substances, should site visit indicate potential contamination; due to funding constraints project will be forward to Housing Programs, DCHD Rehabilitation Program for further review. Historic Preservation, any conditions request by the SHPO will be implemented. Noise Abatement and Control; mitigating measures may be incorporated into project as funding and scope of work allows.

Estimated Project Cost: Community Development Block Grant (CDBG) Entitlement Grant B-22-MC-48-0015; District 2 and District 4. Total funding \$200,000.00.

The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at Part 58.5; 58.35(a) (3).

An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file electronically at City of El Paso official website, Department of Community and Human Development: <https://www.elpasotexas.gov/community-and-human-development/forms-and-notice>. During the National Emergency concerning COVID-19, as the Responsible Entity we will work to provide the ERR to the public for review by US mail. Please submit your request by US mail to Department of Community and Human Development, 801 Texas Ave., 3rd Floor (CITY 3), El Paso, Texas 79901; or review completed ERR in HEROS at: <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of El Paso, Department of Community and Human Development, 801 Texas Ave., 3rd Floor (CITY 3), El Paso, Texas 79901. All comments received by EOB August 15, 2022 will be considered by the City of El Paso, Department of Community and Human Development prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of El Paso certifies to Department of Housing and Urban Development, Ft. Worth, Texas that Elda Rodriguez-Hefner, Grant Administrator for Margarita Muñoz, Certifying Officer, in her capacity as City Comptroller 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. Department of Housing and Urban Development (HUD), Ft. Worth, Texas approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of El Paso to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

Department of Housing and Urban Development (HUD), Ft. Worth, Texas will accept objections to its release of funds and the City of El Paso 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 El Paso; (b) the City of El Paso 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 Department of Housing and Urban Development (HUD), Ft. Worth, Texas; 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 Department of Housing and Urban Development at 801 Cherry St., Unit #45, Ste. 2500, Ft. Worth, Texas 76102 or via email to: CPD_COVID-19OEE-FTW@hud.gov . Potential objectors should contact Department of Housing and Urban Development (HUD), Ft. Worth, Texas to verify the actual last day of the objection period.

**Elda Rodriguez Hefner, Grant Administrator for Certifying Officer
Margarita Muñoz, City Comptroller
Office of the Comptroller
City of El Paso
300 N. Campbell (CITY 1)
El Paso, Texas 79901 915.212.1170**