

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

Date of Publication: September 10, 2018
City of El Paso, Community and Human Development
801 Texas Ave., 3rd Floor (CITY 3)
El Paso, Texas 79901
915.212.0138

On or after September 18, 2018 the City of El Paso will submit a request to the Department of Housing and Urban Development, Ft. Worth, Texas for the release of 44th 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

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

Location: 44th Year target District 2 and 4

Project/Program Description: Rebuilding Together El Paso 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 disabled homeowners. CDBG funds will be used on 35 homes in District 2 and 35 homes in District 4. Repairs are made at no cost to the homeowner with hundreds of volunteers who do the majority of the work and donation of money and 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): For Airport Hazards, should project fall within the airport protection zone (APZ) it is HUD's policy to discourage assistance. For Flood Insurance should project site fall within a flood hazard area, flood insurance must be provided. For Contamination and Toxic Substances should site visit indicate potential contamination due to funding constraints project will be forwarded to Housing Programs for Rehabilitation Program for further review. Historic Preservation, should site be determined to be listed or eligible for listing a determination of effect must be filed. Noise Abatement and Control mitigating measures should issues arise the use of double pane windows and weather stripping, door replacement if funding allows.

Estimated Project Cost: Community Development Block Grant (CDBG) Entitlement Grant Funding: \$ 120,000.00.

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 at City of El Paso, Community and Human Development Department, 801 Texas Ave., 3rd Floor (CITY 3), El Paso, Texas 79901 and may be examined or copied weekdays **8:00 A.M to 5:00 P.M. or 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, Community and Human Development Department, 801 Texas Ave., 3rd Floor (CITY 3), El Paso, Texas 79901 All comments received by September 14, 2018 will be considered by the City of El Paso, Community and Human Development Department 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 Patricia Degman, 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, 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, Ft. Worth, Texas will accept objections to its release of fund and the *RE'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 *name of RE*; (b) the *RE* 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, 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. Potential objectors should contact Department of Housing and Urban Development, Ft. Worth, Texas to verify the actual last day of the objection period.

**Mrs. Patricia Degman, Certifying Officer
Office of the Comptroller
City of El Paso
300 N. Campbell, City 1
El Paso, Texas 79901
915-212-1170**