

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND INTENT TO  
REQUEST RELEASE OF FUNDS**

March 1, 2016  
City of Houston  
Housing and Community Development Department (HCDD)  
601 Sawyer, 4<sup>th</sup> Floor  
Houston, TX 77007  
(832) 394-6183

**This Notice shall satisfy the above-cited two separate but related procedural notification requirements.**

**REQUEST FOR RELEASE OF FUNDS**

On or about Thursday, March 17, 2016 the City of Houston's Housing and Community Development Department will submit a request to the U.S. Department of Housing and Urban Development for the release of the following funds:

**Community Development Block Grant (CDBG) funds authorized by Title I of the Housing and Community Development Act of 1974 (P.L. 93-383, as amended), to undertake a project known as, to undertake a project known as:**

**Project Title: Oak Brook Apartment Demolition/Park Creation**

**Location: 5353 De Soto St., Houston, Harris County, Texas 77091**

**Purpose of project: The Oak Brook Apartment Demolition/Parkland Conversion project includes the demolition of an existing structure (an abandoned apartment complex) and its replacement with park land, and acquisition of the land for this purpose. The site is approximately 277,000 square feet.**

**While this project is in the 100-year floodplain (and a small part in the floodway), it falls into the exception found at 55.12 (c)(3) which states that the project is exempt from the 8-step process if:**

**The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if:**

- (i) The property is cleared of all existing structures and related improvements;**
- (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and**
- (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development.**

**The subject property, and this project, meets all three of these criteria, hence no 8-step process is needed under 24 CFR 55.20. This part of exclusion 55.12(c) applies to the 100-year floodplain and the floodway as noted in 55.1(c)(1) and 55.11(c). All three requirements stated above will need to be adhered to, and the contract for this project will need to include each of these specifications.**

**All applicable federal, state, and local asbestos requirements must be followed during the demolition of this building.**

**Failure to follow each of the steps specified above can subject the project to HUD liability, penalties for which include (but are not limited to) the payback of federal funds.**

**Grant No. & Amount: B-10-MC-48-0018.....\$216,141.72;  
B-12-MC-48 -0018.....\$161,694.74; B-13-MC-48-0018.....\$622,163.54**

**FINDING OF NO SIGNIFICANT IMPACT**

The City of Houston has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the above address and is available for public examination or copying weekdays 8 A.M. to 5 P.M.

**PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 601 Sawyer, 4<sup>th</sup> Floor, Houston, Texas 77007. All comments received by the close of business on Wednesday, March 16, 2016 will be considered by the City of Houston prior to authorizing submission of a request for release of funds. Commentors should specify which part of this Notice they are addressing.

**RELEASE OF FUNDS**

The City of Houston certifies to HUD that Sylvester Turner, in his capacity as 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Houston to use Program funds.

**OBJECTIONS TO RELEASE OF FUNDS**

HUD will consider objections to its release of funds and the City of Houston certification received by the close of business on Friday, April 1, 2016 or a period of fifteen days from its 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 or other officer of the City of Houston approved by HUD; (b) the City of Houston, as Responsible Entity, 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 project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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) and shall be addressed to: U.S. Department of Housing and Urban Development, 1301 Fannin Street, Suite 2200, Houston, Texas 77002. Potential objectors should contact HUD to verify the actual last day of the objection period.

Sylvester Turner, Mayor  
City of Houston