

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

March 4, 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 **Tuesday, March 22, 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:           Pointe at Crestmont**

**Location: 5602 Selinsky, Houston, Texas 77048**

**Purpose of project:       Demolition and reconstruction of abandoned 308-unit multifamily apartment complex in southeast Houston with its replacement by a 250-unit multifamily apartment complex with updated floor plans, apartments, and amenities. This project includes land acquisition to acquire the current property so the new apartment can be developed.**

**Noise levels were calculated at 66.1 decibels (dB) at the subject property by the environmental consultant (which is Normally Unacceptable per 24 CFR 51 Subpart B), hence the reconstructed property must have any necessary mitigation so that interior noise levels are under 45 dB.**

**The current abandoned building contains evidence of potential lead paint, asbestos, and lead in pipes. In the demolition of the property, all applicable federal, state, and local requirements governing lead (paint and pipes) and asbestos must be followed and any needed testing performed. While these substances are not expected to pose any Recognized Environmental Conditions (RECs) for the Pointe at Crestmont upon completion as a residential property as long as properly removed, requirements must be followed during demolition to ensure worker safety and proper removal of the substances.**

**An existing underground propane pipeline on the southern portion of the property, as currently platted, which is a highly volatile liquid (HVL) as defined in 49 CFR Part 195.2. There is no evidence of RECs connected with underground pipeline itself, and the pipeline is underground, hence it does not meet the definition of an explosive or flammable hazard as per 24 CFR Subpart C regardless of its HVL status. Hence there are no foreseen issues as far as HUD environmental regulatory compliance. This notice and the Request for Release of Funds (RROF) and Authority**

to Use Grant Funds (AUGF) is specific only to clearance for HUD environmental requirements.

All of the aforementioned requirements must be followed as a condition of this project receiving federal funding. Failure to follow said requirements places this project at risk of HUD liability, whose penalties include but are not limited to payback of federal funds.

Grant No. & Amount:           B-14-MC-48-0018.....\$620,784.00;  
  B-15-MC-48-0018.....\$2,784,148.75

This project will also utilize \$13,975,079.00 of Tax Credit Equity funds and \$1,595,068.00 of TIRZ Funds.

### 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 **Monday, March 21, 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 **Wednesday, April 6, 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