

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

November 21, 2016
City of Houston
Housing and Community Development Department (HCDD)
601 Sawyer, 4th Floor
Houston, TX 77007
(832) 394-6183/(832)394-6198

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

REQUEST FOR RELEASE OF FUNDS

On or about Wednesday, December 7, 2016 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:

HOME Investment Partnerships Program funds authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA), in accordance with Section 288 (42 U.S.C. 4852), to undertake a project known as:

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Project Title: Light Rail Lofts

Location: 4600 Main, Houston, Harris County, Texas 77002

Purpose of project: Reconstruction/conversion of office building into three story affordable housing community consisting of 56 studio units, targeted towards low-to-moderate income individuals giving preference to formerly homeless veteran residents. As required by HUD regulations found at 24 CFR 51, interior noise levels must be below 45 decibels (dB) as certified by an architect or acoustical engineer and construction/rehabilitation plans must ensure that this threshold is met for the converted building. Asbestos that is present in the building will need to be handled as required by all applicable federal, state, and local rules and regulations, including removal and/or encapsulation as necessary in order to protect workers and/or residents from any health risks related to asbestos.

This project also has a HUD Release of Funds/Authority to Use Grant Funds (AUGF) for CDBG funds issued on April 9, 2013, for acquisition for the purpose of the activities described above. This new Request for Release of Funds will be specifically for HUD HOME funds, since the original Release pertained specifically to CDBG but not to HOME funds. Please note that acquisition using CDBG funds has already taken place.

All of the requirements must be followed as a condition of HUD funding for this project, subject to liability that includes but is not limited to the payback of federal funds.

This project complies with 24 CFR 58.47 as there is no evidence of "new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued" as per 58.47(a)(2), and the scope of the project is not changing.

Grant No. & Amount: M-15-MC-48-0206.....\$1,208,433.63
M-16-MC-48-0206.....\$291,566.37

Total Federal Funding: \$3,471,618.00--\$1,971,618.00 prior CDBG funding for acquisition; \$1,500,000.00 total HOME funds in current Request.

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, 4th Floor, Houston, Texas 77007. All comments received by the close of business on Tuesday, December 6, 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 Thursday, December 22, 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