



# NOTICE OF INTENT TO REQUEST A RELEASE OF FUNDS FOR TIERED REVIEWS

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City of Austin, Housing and Planning Department (HPD)  
P.O. Box 1088, Austin, Texas 78767  
(512) 974-3100 ♦ Fax (512) 974-3112 ♦ [www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

September 22, 2021

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

On or about October 7, 2021 the City of Austin, Housing & Planning Department (City of Austin) will submit a request to the U.S. Department of Housing and Urban Development (HUD) in the amount of \$2,728,152 for the release of federal funds under Title I of the Housing and Community Development Act of 1974 (CDBG), the HOME Investment Partnerships Program year funds under the National Affordable Housing Act of 1990 (HOME) to undertake the following projects:

### **Tier 1 Broad Review Program Title, Purpose, Location, and Project/Program Description:**

**Homeowner Rehabilitation/Reconstruction Loan (\$833,152 CDBG and \$200,000 HOME)** - a loan program that provides funding for rehabilitation as a zero-interest loan and grant combination to make needed repairs to the home including addressing lead-based paint hazards. Eligible households can receive a maximum of \$75,000 to bring their homes up to building code and up to \$130,000 for reconstruction or 125% loan-to-value based on the after-reconstruction appraised market value. It is estimated that 9 homes will be serviced during the 2020-21 program year throughout the city of Austin.

**Architectural Barrier Removal Home - Owner and Rental (\$1,695,000 CDBG)** - grants to eligible low-income elderly and severely disabled homeowners and renters. Program modifies or retrofits the living quarters by installing physical improvements in housing units to assist with daily living. Eligible households can receive a maximum of \$15,000 per year. It is estimated that 87 homes will be rehabilitated during the 2021-22 program year throughout the city of Austin.

**Tier 2 Site Specific Review:** The site-specific reviews will cover the following laws and authorities not addressed in the tier 1 broad review and will be addressed in the tier 2 site specific review for each address under this program when addresses become known. Level of Environmental Review Citation: Architectural Barrier Removal of more than four single family homes on scattered sites, state: 24 CFR Part 58.35(a)(2); Home Rehabilitation/Reconstruction of four or more single family homes on scattered sites, state: 24 CFR Part 58(a)(3)(i). Site Specific Review: The site-specific reviews will cover the following laws: HUD Regulations at 24 CFR 58.6 Other Requirements, and Environmental Criteria and Standards and Site Contamination for 24 CFR Part 51 Subpart C. Estimated Projects Cost: \$2,728,152.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 24 CFR Part 58.5(a)(3)(i). An Environmental Review Record (ERR) that documents the environmental determinations for these projects is on file at Housing and Planning Department 1000 East 11<sup>th</sup> Street Suite 200 Austin, Texas 78702 where the ERR can be examined and may be examined or copied weekdays 8:00 A.M to 5:00 P.M. Or online 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 Housing and Planning Department, P.O. Box 1088, Austin, TX 78767. All comments received by October 5, 2021 will be considered by the City of Austin prior to authorizing submission of a request for release of funds.

### **ENVIRONMENTAL CERTIFICATION**

The City of Austin certifies to the U.S. Department of Housing and Urban Development (HUD) that Rosie Truelove, in her capacity as Director of Housing and Planning Department, 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 Housing and Planning Department to use HUD Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the City of Austin certification received by October 27, 2021, or a period of fifteen days following 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 or other officer of the City of Austin approved by HUD; (b) HPD 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 via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the HUD San Antonio Field Office at [CPD\\_COVID-19OEE-SAT@hud.gov](mailto:CPD_COVID-19OEE-SAT@hud.gov). Potential objectors should contact HUD San Antonio Field Office via email to verify the actual last day of the objection period.

Rosie Truelove, Director  
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Please Remove October 5, 2021