

## Notice of Intent to Request Release of Funds [Tiered Reviews]

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

**Date of Publication:** July 7<sup>th</sup>, 2021  
**Salt Lake City Corporation, Housing Services**  
451 S State St Room 445  
Salt Lake City, Ut 84111  
801-535-7698

**On or after July 30<sup>th</sup>, 2021 the Salt Lake City Corporation, Housing Services, will authorize ASSIST Inc. to submit a request to the Community Planning and Development (CPD) HUD Program Office in Denver, Colorado for the release of Community Development Block Grant (CDBG: Title I of the Housing and Community Development Act) (as amended) funds under 24 CFR part 58 of the PART 570 - to undertake the following project:**

**Tier 1 Broad Review Project/Program Title:** *Emergency Home Repair & Accessibility and Community Design: ASSIST's program serves eligible households and organizations by providing Emergency Home Repair (24CFR 570.202.(a)(1)), Accessibility Design Assistance (24CFR 570.202.b.11), and Community Design Assistance (24CFR 570.205), as allowed by federal code.*

**Location:** *Salt Lake City, Utah*

**Project/Program Description:** *CDBG: Title I of the Housing and Community Development Act (as amended)*

*ASSIST's program serves eligible households and organizations by providing Emergency Home Repair (24CFR 570.202.(a)(1)), Accessibility Design Assistance (24CFR 570.202.b.11), and Community Design Assistance (24CFR 570.205), as allowed by federal code. Emergency Home Repair (EHR) EHR provides critical home repairs and accessibility modifications at no cost to eligible households. The program is available to households whose income is typically below 60% of Area Median Income (AMI); average income of households served is 30% AMI. Accessibility Design: ASSIST provides accessibility design options and construction plans for the elderly and for persons with disabilities to enable them to remain in their homes and maintain physical independence. ASSIST provides design review for new homes when accessibility or aging-in-place features are desired. Community Design: ASSIST provides building evaluation, technical expertise, and architectural assistance to low-income residents, non-profit organizations, and community groups that lack the means to pay for private professional services at the initial stages of a development project. To meet the 58.35(a)(2) requirements, architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons, will be assessed on a per request basis. 58.35 (a)(3) requirements homes receiving the repair, building for residential use (with one to four units), the density will not increased beyond four units, the land use will not change, and the footprint of the building will not increased in a floodplain or in a wetland.*

*The homes assisted will be based on AMI, rather than geographic location. However, they will all be in Salt Lake City boundaries. All households assisted will be 0-80% AMI as the prerequisite for the program. While the program is citywide, the majority of recipients will live west of I-15.*

**Level of Environmental Review Citation: 58.35(a)(2) 24 CFR Part 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, Contamination and Toxic Substances, Explosive and Flammable Hazards, Floodplain Management, Historic Preservation, and Noise Abatement and Control.*

**Mitigation Measures/Conditions/Permits (if any):** *There is currently no mitigation needed. Each Tier 2 Site Specific Review will be assessed using a Site-Specific Form and utilizing the HUD requirements for review.*

**1. Flood Insurance**

*A site-specific review of each structure will be undertaken upon identification of actual projects to assure that no work will be done in a floodplain or floodway identified by FEMA-Issued Flood Insurance Rate Maps (FIRMs). CDBG funds will not be used for rehab of structure located in a Special Flood Hazard Area (SFHA) unless there is flood insurance for the property. Verification of insurance will be required before CDBG funds are used if the property is in a SFHA.*

**2. Contamination of Toxic Substances and Other Hazards**

*Site specific reviews will utilize the EPA mapping program NEPAAssist, along with visual inspections to identify any contamination issues. If contamination issues are present, the city will determine if the project can be made compliant or if the project cannot proceed.*

**3. Endangered Species**

*A site-specific review of each structure will be undertaken upon identification of actual projects to assure that there will be no impact to a proposed or listed threatened or endangered species or destroy or adversely modify designated or critical habitat.*

**4. Historic Preservation.**

*A site specific review of each structure will utilize the Salt Lake County Assessors map to identify properties that are 50 years old or more. Properties that are 50 years or more in age will utilize the State Historic Preservation Office's (SHPO) agreement with Salt Lake City to determine if the project can proceed, or if the project will need a SHPO approval before construction/repairs occur.*

**5. Noise**

*A site specific review of each structure will determine if the location is in a safe dB zone for the residents. This will be reviewed by monitoring the National Transportation Noise Map and Salt Lake County noise ordinance level map.*

*Any issues will be addressed with the subgrantee before assistance is released. There are no conditions or permits needed for this program.*

*Estimated Total HUD Funded, Assisted, or Insured Amount \$ 2,000,000*

*Estimated Project Cost: \$ 9,000,000*

**The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 24 CFR Part 58.35(a)(2), 24 CFR 58.35(a)(3). An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at: HAND**

**Website**<https://www.slc.gov/hand/2021/02/12/salt-lake-city-hand-environmental-reviews/>

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 Housing Services Division of Salt Lake City Corporation. All comments received by July 29th, 2021 will be considered by the Housing Services Division of Salt Lake City Corporation prior to authorizing submission of a request for release of funds.

If you'd prefer to send a written objection, please send them to the following addresses:

ADDRESS:

451 S. State Street, Room 445, Salt Lake City, Utah

MAILING ADDRESS:

PO Box 145487, Salt Lake City, Utah 84114

PHONE: (801) 535-7712

## ENVIRONMENTAL CERTIFICATION

Housing Services certifies to HUD that Mayor Erin Mendenhall, Certifying Officer, in her capacity as the Mayor of Salt Lake City 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 ASSIST to use HUD program funds.

## OBJECTIONS TO RELEASE OF FUNDS

**HUD will accept objections to its release of fund and the Housing Services 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 Housing Services (b) the Housing Services Division 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 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, Sec. 58.76).**

Objections and concerns can be sent to the Acting Director Jennifer Schumann, of Housing Services Division, Certifying Officer, at [Jennifer.Schumann@slcgov.com](mailto:Jennifer.Schumann@slcgov.com)

*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 Katy Burke, CPD Region VIII*

*Director, at CPD COVID-19OEE-DEN@hud.gov. Potential objectors should contact CPD COVID-19OEE-DEN@hud.gov to verify the actual last day of the objection period.*