

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

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

Date of Publication: *July 7th, 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 30th, 2021 the Salt Lake City Corporation, Housing Services, will authorize Salt Lake City 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: *Salt Lake City Community Land Trust: Funds will be used to purchase land to hold in the Community Land Trust. Land will be affordable in perpetuity. by providing Emergency Home Repair (24CFR 570.202.(a)(1))*

Location: *Salt Lake City, Utah*

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

Project/Program Description: *Under allowances in 24CFR 570.202.(a)(1), Salt Lake City will purchase land and homes under the Community Land Trust (CLT) program. This program will ensure that homes in the program stay affordable for the families living in them for perpetuity. Salt Lake City will leverage non-federal funding (General Funds) to purchase properties to put into the CLT. Homes that are placed into the trust can be purchased by low income homebuyers, while the CLT maintains ownership of the land itself. This allows the City to preserve the homes affordability into the future while still allowing the buyer to build equity in their home. 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 and encompass houses ranging from 300 North to 2100 South, which is SLC's CDBG target area.*

For 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.

For 58.35 (a)(5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

Level of Environmental Review Citation: *24 CFR Part 58.35(a)(3), 58.35 (a)(5)*

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

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: \$1,000,000

Estimated Project Cost: \$1,000,000

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)(3), 58.35 (a)(5). An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at: HAND Website: <https://www.sl.c.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

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.

