

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

August 14, 2012
City of Houston
Housing and Community Development Department (HCDD)
601 Sawyer, 4th Floor
Houston, TX 77007
(713) 868-8401

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

REQUEST FOR RELEASE OF FUNDS

On or about Thursday, August 30, 2012, on behalf of the Houston Housing Authority, 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 approval of a sale of land originally funded by Capital Fund Program Grant funds, which are authorized by Section 9 of the United States Housing Act of 1937 and described in regulations found at 24 CFR Part 905. The sale will allow the following project to move forward:

Project Title: Clayton Homes/Heritage Corridor Bike Trail

Location: 1919 Runnels, Houston, Texas 77003 (Strip of land along south banks of Buffalo Bayou)

Purpose of project: Sale of Land at Houston Housing Authority's Clayton Homes to Buffalo Bayou Partnership for Purposes of Constructing Hike and Bike Trail on Site. The trail is a future development, to be constructed by the City of Houston Public Works & Engineering Department (PWE) using TxDOT funds. The subject property is located along Buffalo Bayou behind the Clayton Homes apartment development, and it is in the 100-year floodplain and the floodway. An 8-step process has been implemented for the sale of this land. Per Floodplain Administrator Jamila Johnson's office, development of the trail must comply with Chapter 19 of the Houston City Code governing floodplain development, requirements to compensate for placing concrete in the floodway by removing same amount of soil, and a No Impact Certificate from a certified engineer showing that there is no increase in flood levels stemming from the development of the trail.

Grant Number: TX00500004

Total Federal Funding: \$128,299.00

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 Wednesday, August 29, 2012 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 Annise Parker, in her 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 Houston Housing Authority, as grant recipient, to dispose of this land to Buffalo Bayou Partnership.

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 Friday, September 14, 2012 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 Responsible Entity 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.

Annise Parker, Mayor
City of Houston