

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

April 20, 2016
City of Houston
Housing and Community Development Department (HCDD)
601 Sawyer, 4th Floor
Houston, TX 77007
(832) 394-6183

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

REQUEST FOR RELEASE OF FUNDS

On or about Friday, May 6, 2016 the 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:

Project Title: Hardy Yards Residences (Multifamily Apartment/New Construction)

Location: 5 Acre Portion in southeast of 33.35 Acre Site Identified in the John Austin Survey, Abstract No. 1., which has been identified as the site that has received its Final Certificate of Completion from the TCEQ that it is acceptable for residential use, at former Hardy Yards site, Houston, Texas 77009

Purpose of project: This project is being performed in order to provide affordable housing for low to moderate income persons by reserving a portion of units in the proposed multifamily development on the former Hardy Yards site for these individuals and families. An approximate 5 acres of a total 33.35 (15.15%) will be specifically used for affordable housing. The remainder will be used for market-rate residential as well as commercial development. Noise mitigation will be performed at the site after construction if applicable so that interior noise levels are below 45 decibels (dB) as certified by an architect or acoustical engineer. Groundwater use will be restricted as well.

This project also has a Texas General Land Office (GLO) Authority to Use Grant Funds (AUGF) for \$14,500,000.00 in Disaster Recovery Round 2 funds issued on March 26, 2014. Since an AUGF was already issued, ground has been broken already and work has begun. This Request for Release of Funds is specifically for HUD HOME funds, since the original Release was from GLO and pertained specifically to Disaster Recovery Funds.

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-14-MC-48-0206.....\$340,602.76
M-15-MC-48-0206.....\$2,659,397.24

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 Thursday, May 5, 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 Monday, May 23, 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