

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

May 18, 2015  
City of Houston  
Housing and Community Development Department (HCDD)  
601 Sawyer, 4<sup>th</sup> 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 Wednesday, June 3, 2015 City of Houston's Housing and Community Development Department, on behalf of the Houston Housing Authority, will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of the following funds:

**Capital Fund Program Grant funds authorized by Section 9 of the United States Housing Act of 1937 and described in regulations found at 24 CFR Part 905 to undertake a project known as:**

**Project Title: 2640 Fountain View**

**Location: 2640 Fountain View, Houston, Texas 77057**

**Purpose of project:** The Houston Housing Authority (HHA) intends to purchase (acquire) the building of about 88,000 square feet located at 2640 Fountain View, Houston, Texas 77057, where HHA currently has its offices. The HHA would move its offices to 2650 Fountain View. The HHA proposes to demolish the office building at 2640 Fountain View and build an approximately 250-unit multi-family housing development using about \$10,000,000 of Tax Credits, \$20,000,000 of Disaster Recovery, \$3,000,000 of CFP TX24P00551-14 and \$3,000,000 of CFP TX24P00551-15 funding.

The new building will be 477,697 gross square feet (2 levels parking and 4 stories of apartments—an average of approximately 79,616 square feet per level).

Noise levels were estimated at 68.3901 decibels (dB), which is in the Normally Unacceptable range per 24 CFR 51. Noise mitigation will be required during construction so that interior noise levels are under 45 dB. These requirements must be in the contract. Penalties for noncompliance include possible payback of federal funds.

Since the building to be demolished was constructed before 1978, demolition will need to ensure that any lead and asbestos in this building is handled and disposed of according to all applicable federal, state, and local regulations (including but not limited to 40 CFR Part 61 Subpart M - National Emission Standards for Hazardous Air Pollutants (NESHAP) as applicable), and that the safety of any workers in contact with these substances is protected according to applicable law. Lead and asbestos are not foreseeable concerns for the future apartment complex itself since the building will be new and current law restricts the use of these substances in development.

**Grant No. & Amount: \$3,000,000.00.....TX24P00551-14; \$3,000,000.00..... TX24P00551-15**

On or about Wednesday, June 3, 2015 City of Houston’s Housing and Community Development Department, on behalf of the Houston Housing Authority, will submit a request to the Texas General Land Office (GLO), who is acting in the role of the U.S. Department of Housing and Urban Development (HUD) for the release of federal Community Development Block Grant Disaster Recovery Round 2.2 (CDBG-DR) funds authorized by Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, (Public Law 110-329), enacted on September 30, 2008, as amended. These particular funds are part of a CDBG grant administered by the Texas General Land Office (GLO) for Hurricane Ike Disaster Relief. GLO will act in the stead of the Department of Housing and Urban Development (HUD) and be overseen by HUD.

The funds will be utilized to undertake the following project:

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**Location: 2640 Fountain View, Houston, Texas 77057**

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**Grant No. & Amount: 13-181-000-7294.....\$20,000,000.00**

**Please note that \$20 Million of CDBG DR 13-181-000-7294 and \$10,000,000.00 of Tax Credits will be added to the project, as well as \$6,000,000.00 of Capital Funds (\$3,000,000.00 for 2014; \$3,000,000.00 for 2015).**

## **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, 4<sup>th</sup> Floor, Houston, Texas 77007. All comments received by the close of business on Tuesday, June 2, 2015 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 and to GLO, acting in the role of 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 and GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Houston Housing Authority to use Program funds.

## **OBJECTIONS TO RELEASE OF FUNDS**

HUD and GLO, acting in the role of HUD, will consider objections to its release of funds and the City of Houston certification received by the close of business on Thursday, June 18, 2015 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 and/or GLO; (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 and/or GLO; 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 to HUD 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.

Objections to GLO must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Texas General Land Office, 3429 Executive Center, Suite 150, Austin, Texas 78731. Potential objectors should contact GLO to verify the actual last day of the objection period.

Annise Parker, Mayor  
City of Houston