

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

May 24, 2022

City of Houston

Housing and Community Development Department (HCDD)

2100 Travis St., 9th floor

Houston, TX 77002

(832) 394-6183/ (832) 394-6397

On or about **June 1, 2022** the City of Houston's Housing and Community Development Department will submit a request to the Texas General Land Office (GLO) for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) Single-Family Program funds authorized by the Supplemental Appropriations for Disaster Relief Requirements of 2017, Public Law 115-56 and, Additional Supplemental Appropriations for Disaster Relief Requirements Act of 2018, Public Law 115-123 through activities authorized under Title I of the Housing and Community Development Act of 1974 as amended related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization and mitigation, to undertake a project known as Cityscape.

This project involves the acquisition of vacant land and associated due diligence activities only. The land is intended to be developed at a later date with a single-family residential community under the City's CDBG-DR 17 disaster recovery grant. The construction activities will fall under a separate environmental review with separate public notice period. This acquisition-only project is a Hurricane Harvey Disaster Recovery project, and its aim is to meet general housing needs for low- to moderate-income people in the Houston area, which have spiked in the wake of the recent flooding events of the past several years, including but not limited to Harvey.

The project is expected to entail the acquisition of approximately 14.946 acres of undeveloped land in the area to the southeast of State Highway 288 and E Orem. The acquisition and associated due diligence activities of this property are eligible under the CDBG DR-17 Harvey Single-Family Development (HSFD) Program. It is intended for \$12,369,893.00 of CDBG DR-17 funds to be utilized for the acquisition of the land and \$200,000.00 for CDBG DR-17 funds to be utilized for all associated due diligence costs. The total amount of federal funding sought for the acquisition and due diligence activities of the Cityscape site is \$12,569,893.00.

The Cityscape site is predominately located in FEMA Zone X (Unshaded), which is outside the 500- and 100-year floodplains. Small portions of the northern border of the site are located within the 500-year floodplain and approximately 106 square feet of land located in the northeast corner of the site is located within the 100-year floodplain. The City of Houston is seeking an exemption from floodplain mitigation under 24 CFR 55.12(c)(7), incidental floodplain exception. The exception is only permitted under the following conditions:

1. The proposed construction and landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding, seeding, or other similar activities) do not occupy or modify the 100-year floodplain (or the 500-year floodplain for critical actions) or the wetland;
2. Appropriate provision is made for site drainage that would not have an adverse effect on the wetland; and
3. A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland.

All conditions stated above will be required components of compliance prior to the commitment or drawing down of any federal funds.

Project Location: Cityscape – Future Single-Family Residences
Approximately 14.946 acres located nearby:
Southeast Corner of E Orem and Highway 288
Houston, Harris County, Texas 77047

Harris County Appraisal District (HCAD) #0451900000696
Latitude/Longitude: (29.623261 N, -95.385584 W)

Approximately \$12,569,893.00 of CDBG-DR17 funds, Grant No. B-17-MC-48-0001, for Hurricane Harvey Disaster Recovery, will be utilized for this project. No additional sources of funding will be utilized.

The activities proposed *are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements*. Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to P.O. Box 1562, Houston, TX 77251-1562 or 2100 Travis St., 9th Floor, Houston, TX 77002 or by email to hcdenvironmental@houstontx.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 2100 Travis, 9th Floor, Houston, Texas 77002 or by email to hcdenvironmental@houstontx.gov. All comments received by the close of business on **May 31, 2022** will be considered by the City of Houston prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Houston certifies to GLO, acting in the role of 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. GLO'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

GLO, acting in the role of HUD, will accept objections to its release of funds and the *City of Houston's* 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 City of Houston; (b) the City of Houston 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 GLO, acting in the role of 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) and shall be addressed to Texas General Land Office, P.O. Box 12873, Austin, Texas 78711-2873. Potential objectors should contact GLO to verify the actual last day of the objection period.

*Sylvester Turner, Mayor
City of Houston*