



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

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

June 13, 2024

*Salt Lake City Corporation
Housing Stability Division
451 South State Street, Room 445
Salt Lake City, UT 84111
801-535-7112*

On or after July 1, 2024, the Salt Lake City Corporation, Housing Stability Division will authorize **ASSIST Inc.** 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) funds under Title I of the Housing and Community Development Act of 1974, as amended, to undertake the following project:

Tier 1 Broad Review Project/Program Title: *ASSIST Inc. – Emergency Home Repair & Accessibility and Community Design*

Purpose: *This project provides a critical need for low-income homeowners. This program provides anti-displacement services for homeowners that need repairs that address health, safety, and structural issues.*

Location: *Salt Lake City, Utah*

Project/Program Description: *This is a CDBG Funded project provided by ASSIST's program to serve eligible households and organizations by providing Emergency Home Repair (24CFR 570.202.a), Accessibility Design Assistance (24CFR 570.202.b.11), and Community Design Assistance (24CFR 570.205), as allowed by federal code. Emergency Home Repair (EHR) EHR provides critical home repairs and accessibility modifications at no cost to eligible households. The program is available to households whose income is typically below 60% of Area Median Income (AMI); the average income of households served is 30% AMI. Accessibility Design: ASSIST provides accessibility design options and construction plans for the elderly and for persons with disabilities to enable them to remain in their homes and maintain physical independence. ASSIST provides design reviews for new homes when accessibility or aging-in-place features are desired. Community Design: ASSIST provides building evaluation, technical expertise, and architectural assistance to low-income residents, non-profit organizations, and community groups that lack the means to pay for private professional services at the initial stages of a development project. To meet the 58.35(a)(2) requirements, architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons, will be assessed on a per request basis. 58.35 (a)(3) requirements homes receiving the repair, building for residential use (with one to four units), the density will not increase beyond four units, the land use will not change, and the footprint of the building will not be increased in a floodplain or in a wetland.*

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



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 (Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D)*, *Flood Insurance (Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a])*, *Contamination and Toxic Substances (24 CFR 50.3(i) & 58.5(i)(2)(HUD Standard))*, *Explosive and Flammable Hazards(Above-Ground Tanks)[24 CFR Part 51 Subpart C]*, *Floodplain Management (Executive Order 11988, particularly section 2(a); 24 CFR Part 55)*, *Historic Preservation (National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR Part 800)*, *Noise Abatement and Control (Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B*, *Environmental Justice (Executive Order 12898).*

Mitigation Measures/Conditions/Permits (if any): Any issues will be addressed with the subgrantee before assistance is released for each address. Each tier 2 site specific review will be assessed using a site-specific form and utilizing the HUD requirements for review. The site-specific form will identify each law and authority referenced above and mitigation includes the following:

Airport Hazards: *If the location is within 15,000 feet of a military airport or within 2,500 feet of a civilian airport no funding will be dispersed.*

Contamination and Toxic Substances: *The EPA mapping program, NEPAssist, will be used to assess contamination of toxic substances. Based on the contamination issues, the city will work with the subrecipient to determine if the project can be made compliant or if it cannot proceed.*

Environmental Justice: *The EPA's Environmental Justice Screening and Mapping Tool will be used to avoid disproportionately high and adverse human health or environmental effects on low-income and minority populations.*

Explosive and Flammable Hazards: *The NEPAssist and Utah Department of Environmental Quality will be used to assess explosive and flammable hazards. Based on the location of the hazardous facilities and documentation, the city will work with the subrecipient to determine if the project can be made compliant through an existing or planned barrier or if it cannot proceed.*

Floodplain Management: *FEMA-Issued Flood Insurance Rate Maps will be used to determine if assistance is in a floodplain and if mitigation is need the city will work with the subrecipient to determine compliance or if the project cannot proceed.*

Flood Insurance: *The FEMA-Issued Flood Insurance Rate Maps will be used to determine if flood insurance is needed and if the project continues flood insurance will be confirmed with the subrecipient.*

Historic preservation: *Salt Lake City's State Historic Preservation Office's (SHPO) Programmatic Agreement (PA) will be referenced or the city will contact SHPO directly to determine if the project can proceed based on homes that are historic or over fifty years old.*

Noise Abatement and Control: *The Noise Map Application through the US Department of Transportation Bureau of Transportation Statistics will be used to assess noise levels of projects. If the noise is greater than 65 decibels the city will work with the subrecipient to determine compliance or if the project cannot proceed.*

Estimated Project Cost: \$ 747,547.00

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)(5). An Environmental Review Record (ERR) that documents the environmental determinations for this

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
Blake Thomas
Director

project is on file at Salt Lake City Housing Stability Division, 451 South State Street, Room 445, Salt Lake City Utah 84111 and may be examined or copied by request by emailing Dillon Hase at 11 and 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 Stability Division of Salt Lake City Corporation. All comments received by July 1, 2024, will be considered by the Housing Stability Division of Salt Lake City Corporation prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The Housing Stability certifies to HUD that Richard "Tony" Milner, Certifying Officer, in his capacity as Housing Stability Director 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 Salt Lake City Neighborhood Improvement & Stabilization Team to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and Housing Stability'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 Housing Stability (b) Housing Stability 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 via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Noemi Ghirghi, Acting 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.

Tony Milner

Richard "Tony" Milner, Housing Stability Director, Certifying Officer






NOI RRF Assist Public Notice SLC Version

Final Audit Report

2024-06-12

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