

Public Notice

NOTICE OF INTENT TO REQUEST

RELEASE OF FUNDS

FOR TIERED PROJECTS AND PROGRAMS

Date of Publication: May 18, 2023

City of Westminster, an entitlement jurisdiction under the Community Development Block Grant

4800 W. 92nd Avenue
Westminster, CO 80031
(303) 658-2102

On or after May 30, 2023, the City of Westminster will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974 as amended, to undertake the following project:

Tier 1 Broad Review Project/Program Title: Emergency and Essential Home Repair (EEHR) Program – Brother's Redevelopment, Inc.

Purpose: Provide grant funds to income-eligible City of Westminster resident homeowners to make repairs and upgrades that are deemed essential to preserving the health, safety, and welfare of the occupants.

Location: Throughout the city of Westminster, Colorado.

Project/Program Description: Assist low- and moderate- income residents make repairs deemed essential to preserving the health, safety, and welfare of the home's occupants. Homeowners who earn less than 80 percent of the area median income are eligible for the grant funding. Repairs may include, but are not limited to: plumbing, carpentry, electrical, furnace repair or replacement, hot water heater repair or replacement, accessibility modifications.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: The activity proposed is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR Part 58.35(a)(3)(i).

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, 24 CFR Part 51 Subpart D, Floodplain Management, EO 11988 and 24 CFR Part 55, Flood Insurance, National Insurance Reform Act of 1994, 42 USC 4001-4128 and 42 USC 5154a, Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2) Historic Preservation 36 CFR Part 800 and Noise Abatement and Control, 24 CFR Part 51 Subpart B.

Mitigation Measures/Conditions/Permits (if any): The above-mentioned study areas for each Tier 2 site specific review will be completed when an address and scope of work are known, and mitigation measures/conditions/permits will be developed and/or obtained as appropriate.

Estimated Project Cost: CDBG is used to fund the Emergency and Essential Home Repair Program. Annual project funding assigned to Brother's Redevelopment, Inc. will not exceed ninety thousand dollars (\$90,000) for Program years 2021 through 2025.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environment Policy Act (NEPA) requirements per 24 CFR Part 58.35(a)(2), 58.35(a)(3)(i), and 58.35(a)(4). An Environmental Review Record (ERR) that documents the environmental determination for this project is on file at the Economic Development Department, City of Westminster, located at 4800 W. 92nd Ave., Westminster, Colorado, and may be examined or copied weekdays 8 A.M. to 5 P.M., with an appointment. It is also available electronically 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 CDBG Staff at the City of Westminster via email at CDBG@cityofwestminster.us. All comments received by May 29, 2023, will be considered by the City of Westminster prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of Westminster certifies to HUD that Mark A. Freitag in his capacity as City Manager 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 the responsibilities under NEPA and related laws and authorities and allows the City of Westminster to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the City of Westminster'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 Westminster; (b) the RE 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 e-mail in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Noemi Ghirghi, 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.

Mark A. Freitag, City Manager,
City of Westminster

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