For Tier 1 CDBG HR Target Area CEST ERR Only

Sample Notice of Intent to Request a Release of Funds

The language below is HUD’s recommended wording of the Notice of Intent to Request a Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects [24 CFR Part 58, Section 58.35(a)] or for projects for which a Notice of Finding of No Significant Impact was previously issued. Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity. The minimum comment period is seven days following publication or ten days if posting and mailing without publication is used

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# NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

## Date of Notice

*Name of Responsible Entity* [RE]

*Address (e.g., Street No. or P.O. Box)*

*City, State, Zip Code*

*Telephone Number of RE*

**On or about** *at least one day after the end of the NOI/RROF local public comment period* **the** *name of RE* **will** *if the RE is not also the grant recipient, insert the following language here: “authorize the [name of grant recipient] to”* **submit a request to the State of Illinois Department of Commerce and Economic Opportunity (DCEO)****for the release of Community Development Block Grant Program (i.e., CDBG) Housing Rehabilitation****(i.e. HR)****funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake a project known as** *community name* **Housing Rehabilitation for the purpose of rehabilitation of** *# (# spelled out)* **single family, owner-occupied homes of low to moderate income residents located in a target area of** *community name.* **The estimated cost of the actual rehabilitation work to be undertaken with Grant funds is** *$\_\_\_\_\_\_\_\_\_\_\_\_\_.*

### The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements.An Environmental Review Record (ERR), for a Tier 1 review of the entire target area that documented environmental determinations of 12 of 16 relevant bodies of Federal environmental law for this project, is on file at *name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review* and may be examined or copied weekdays from \_\_A.M to \_\_P.M.

# PUBLIC COMMENTS

**Any individual, group, or agency may submit written comments on the ERR to the** *RE designated office responsible for receiving and responding to comments.* **All comments received by** *if notice is published: notice date plus seven days; if notice is mailed and posted: mailing and posting date plus ten days* **will be considered by the** *name of RE* **prior to authorizing submission of a request for release of funds.**

# ENVIRONMENTAL CERTIFICATION

**The** *name of RE* **certifies to the State of Illinois DCEO****that** *name of Certifying Officer* **in** *his/her* **capacity as** *Official Title* **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. DCEO’s****approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the** *name of grant recipient* **to use Program funds.**

# OBJECTIONS TO RELEASE OF FUNDS

## **The State of Illinois DCEO** **will accept objections to its release of funds and the** RE’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** name of RE; **(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 the State of Illinois DCEO; 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 State of Illinois DCEO, located** **at 2nd Floor, 500 E. Monroe, Springfield IL 62701**. **Potential objectors should contact State of Illinois DCEO** **to verify the actual last day of the objection period.**

**Once this target area-wide Tier 1 Environmental Review Record (ERR) is determined to be acceptable by the State of Illinois DCEO,** *community name* **will be directed to prepare and submit to the State Tier 2 ERR’s for individual homes identified to be rehabilitated with Program funds. Each Tier 2 review will document environmental determinations for the following bodies of Federal environmental law: Contamination and Toxic Substances; Historic Preservation, Noise Abatement and Control, and Environmental Justice.**

## Name and Title of RE Certifying Officer

### Note: The seven or ten-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification [form HUD-7015.15] to HUD/State. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period following submission of the request is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

### Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 “Authority to Use Grant Funds” until after the original signed form is received.