

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

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

**Date of Publication:** 01/12/22

*City of Salem  
Urban Development  
350 Commercial St NE  
Salem, OR 97301  
(503) 588-6178*

**On or after 01/27/22 the City of Salem will submit a request to the U.S. Department of Housing and Urban Development for the release of Community Development Grant (CDBG) funds under Title I of the Housing and Community Development Act of 1974 as amended, to undertake the following project:**

Home Rehab Project:

This is a two-year project 2021-2023. Where the City through grantee Polk Community Development Corporation will carry out minor rehabilitation on single-family owner-occupied homes for low-to-moderate income households. The project area is in Polk County within the City of Salem city limits (West Salem). The program will have \$180,530 dollars and it is estimated that between 15-20 homes will be rehabilitated with these CDBG program funds.

**Tier 1 Broad Review Project/Program Title:** *Polk Community Development Corporation – Home Rehab project*

**Purpose:** *Provide minor rehab for Low-to-Moderate Income Families.*

**Location:** *The project will be carried out throughout the Polk County area in West Salem inside City of Salem city limits.*

**Project/Program Description:** *The City of Salem has completed its first-tier review of the Home Rehab project. The City identified a number of laws and authorities that can be considered on an area wide basis, including: Airport Hazards 24 CFR 51 subpart D, Coastal Barrier Resources, Air Quality 40 CFR Parts 6, 51, and 93. Coastal Zone Management, Endangered Species 50 CFR Part 402, Explosive and Flammable Hazards 24 CFR Part 51, Farmlands Protection 7 CFR Part 658, Sole Source Aquifers 40 CFR Part 149, Wetlands Protection, Wild and Scenic Rivers, and Environmental Justice.*

**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:**

*24 CFR Part 58.35 (a)(1)(2)(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:** *The City has identified laws and authorities that must be analyzed with site specific environmental review for each Home Repair project. These laws include: Flood Insurance (Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994), Contamination and Toxic Substances 24 CFR 50.3(i) and 58.5(i)(2), Floodplain Management 24 CFR 55, Historic Preservation 36 CFR 800, Noise Abatement and Control 24 CFR 51 subpart B.*

**Mitigation Measures/Conditions/Permits (if any):**

*For Flood Insurance and Floodplain management, the FEMA National Flood Hazard Layer (official) Map will be used to confirm whether any of the projects are located within a Special Flood Hazard Area (SFHA). If the project is located within the SFHA, then the project will not be approved for federal funds. For Contamination and Toxic Substances, the project will be clear of hazards that impact health and safety of occupants. For Historic Preservation, if any property is identified as eligible for the national register, the proposed rehabilitation will meet Secretary of the Interior Standards. For Noise Abatement and Control, noise generators will be identified, and the HUD Noise Calculator will be used to determine compliance. If the noise levels are above the acceptable limits, then noise attenuation steps will be considered. If the cost of the noise attenuation plus the rehab is over the program limits, then the project will not be approved.*

**Estimated Project Cost:** \$180,530 dollars

**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 58.15. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at City of Salem, Urban Development Department at 350 Commercial St. NE Salem, OR 97301 and may be examined or copied weekdays 8 A.M to 5 P.M. and/or <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 City of Salem. All comments received by 01/22/22 will be considered by the City of Salem prior to authorizing submission of a request for release of funds.**

## **ENVIRONMENTAL CERTIFICATION**

**The City of Salem certifies to HUD that Steve Powers, Certifying Officer, 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 its responsibilities under NEPA and related laws and authorities and allows the Polk Community Development Corporation to use HUD program funds.**

## **OBJECTIONS TO RELEASE OF FUNDS**

**HUD will accept objections to its release of fund and the City of Salem 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 Salem*; (b) the *City of Salem* 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 in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to *City of Salem* at 350 Commercial St NE Salem, OR 97301. Potential objectors should contact the *City of Salem* to verify the actual last day of the objection period.**

*Steve Powers, City Manager, Certifying Officer*