



## Attachment 5-12

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### COMBINED PUBLIC NOTICE: NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE FLOODWAY

Date:

Grantee:

Contact:

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the \_\_\_\_\_ Per 24 CFR 58.33 and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOI-RROF), and the Notice and Public Explanation of a Proposed Activity in a Floodway will be published simultaneously with the submission of the Request of Release of Funds (RROF). The comment periods for the FONSI/NOI-RROF, Explanation of a Proposed Activity in the Floodway and RROF have been combined.

#### REQUEST FOR RELEASE OF FUNDS

On or about \_\_\_\_\_, the \_\_\_\_\_ will request CDFA/CDBG to release CDBG Program Funds for the \_\_\_\_\_ Project. The \_\_\_\_\_ has been awarded Community Development Block Grant (CDBG) funds in the amount of \$\_\_\_\_\_ to support \_\_\_\_\_. The total project is \_\_\_\_\_ and includes additional funds from \_\_\_\_\_. The \_\_\_\_\_ will subgrant the CDBG funds to \_\_\_\_\_ which will use the funds to \_\_\_\_\_ located at \_\_\_\_\_, NH. \_\_\_\_\_ will spend the funds on \_\_\_\_\_ (Detail of Project)

SAMPLE LANGUAGE There will be no change in the use of the property. The proposed improvements will rehabilitate and maintain, but not change, the historic characteristics of the building. Part of the lot, but not the building itself, are located in a Flood Hazard area; the proposed project does not include any changes which are located in the Flood Hazard area or would have an impact on that area.

#### FINDING OF NO SIGNIFICANT IMPACT

The \_\_\_\_\_ has determined that the project will have no significant impact on the human environment. This determination is based on the assumption that \_\_\_\_\_ will obtain all permits required, and will adhere to all applicable regulations. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at \_\_\_\_\_, \_\_\_\_\_ Street, \_\_\_\_\_, NH and may be examined or copied weekdays \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.

## PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE FLOODWAY

This is to give notice that the \_\_\_\_\_ has conducted an evaluation as required by Executive Order 11988 and/or 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activity in the floodway will have on the human environment for Community Development Block Grant Program, Project # \_\_\_\_\_ Project Name \_\_\_\_\_ Adress \_\_\_\_\_ Street is an \_\_\_\_\_ d. (Description of Flood Area) A portion of the land, but not the building, is located in the floodplain. Subrecipient \_\_\_\_\_ will spend the funds on \_\_\_\_\_ This project is not anticipated to change floodplain characteristics of the property.

The \_\_\_\_\_ considered alternative options to the proposed project. The only other alternative would be to \_\_\_\_\_, which is not a viable alternative. The improvements described above must be located on this lot, of which part is in the floodplain, as \_\_\_\_\_ (explain why alternative site is not allowed)

The \_\_\_\_\_ has re-evaluated the alternative to \_\_\_\_\_ in the floodway and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and/or 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

The rehabilitation activities will not impact the floodway, and the building being rehabilitated is not located in the floodway.

There are three primary purposes for this notice. First, people who may be affected by activities in floodways and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodways can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodways, it must inform those who may be put at greater or continued risk.

## PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Authorized Official, Municipality, City, Street \_\_\_\_\_. All comments received by \_\_\_\_\_ will be considered by the \_\_\_\_\_ prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds, and the Notice and Public Explanation of a Proposed Activity in a Floodway).

## RELEASE OF FUNDS

\_\_\_\_\_ certifies to CDFA/CDBG that in \_\_\_\_\_ capacity as \_\_\_\_\_, he/she 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. CDFA/CDBG's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the \_\_\_\_\_ to use Program funds.

## OBJECTIONS TO RELEASE OF FUNDS

CDFA/CDBG will accept objections to its release of funds and the \_\_\_\_\_ 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 \_Municipality\_\_\_\_\_; (b) The \_Municipality\_\_\_\_\_ 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 has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by CDFA/CDBG; 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) and shall be addressed to CDFA/CDBG, 14 Dixon Ave, Suite 102, Concord, NH 03301. Potential objectors should contact CDFA/CDBG (226-2170) to verify the actual last day of the objection period (approximately \_\_\_\_\_).