

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

June 28, 2020

Portland Housing Bureau
421 SW 6th Avenue, Suite 500
Portland, OR 97204

On or about **July 7, 2020** the Portland Housing Bureau (PHB) 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 I of the Housing and Community Development Act of 1974 as amended, Public Law 93-383, as amended, to undertake the following projects:

Home Repair & Homeownership Acquisition Programs

This is a multiyear project from 2021 -2025. Where the City will carry out minor rehabilitation on single family homes (1 to 4 family dwelling) and assist with the acquisition of homes in order to provide affordable homeownership opportunities for low-to-moderate income households. The project area is the entire City of Portland although it is the City's policy to exclude homes in the 100-year floodplain. The activities include minor rehabilitation of owner-occupied single-family homes who apply to the Program, and the acquisition of homes for the purpose of affordable homeownership. It is estimated that 500 single family occupied units will be rehabilitated over the life of the program. In most cases, household are low-income seniors and/or peoples with disabilities. Annually, the Portland Housing Bureau Home Repair Programs will assist low-to-moderate-income homes with approximately \$1,000,000 CDBG funds, and an annual \$1,000,000 will assist with the acquisition of homes for affordable homeownership. The actual funding for the program is identified in the City's Annual Action Plan.

The activities proposed are categorically excluded under HUD regulations at CFR Part 58 from National Environmental Policy Act (NEPA) requirements. Specific locations of individual units to be repaired cannot be determined prior to the completion of the city's Area-Wide Environmental Review and the Request for Release of Funds (RROF) and so the Portland Housing Bureau, as the Responsible a Entity (RE), is using the Tiered Environmental Review process under HUD Regulations at 24 CFR Part 58.15. The RROF will be in effect for five years from the acceptance date, in conjunction with Portland Housing Bureau's Consolidated Plan for 2021-2025.

The Portland Housing Bureau has completed its first-tier review of the Home Repair Grant Programs and the acquisition of homes for the purpose of affordable homeownership. The city identified a number of laws and authorities that can be considered on an area-wide basis, including: Floodplain Management (24 CFR Part 55 and Executive Order 11988), The Coastal Zone Management Act of 1972, the Wild and Scenic Rivers Act of 1968, The Endangered Species Act (50 CFR Part 402). The Clean Air, The Farmland Protection Act of 1981, Wetlands Protection (Executive Order 11990), Sole Source Aquifers (the Safe Drinking Water Act, 40 CFR Part 149), The Environmental Justice Executive Order 12898, The Noise Abatement and Control Standard (CFR part 51B), The Explosive and Flammable Operations Standard (24 CFR Part 51C) and The Airport Clear Zones and Accident Potential Zones (24 CFR Part 51D).

In the second-tier review, the city has identified laws and authorities that must be analyzed with site specific environmental review for each Housing Repair Program Project. These laws include: Historic Preservation (36 CFR Part 800), Flood Disaster Protection Act of 1973, and Toxic Chemicals and Radioactive Materials (24 CFR, Part 58.5 (i)). Under Historic Preservation, if any property is identified as eligible for the national register, the proposed rehabilitation will meet Secretary of the Interior Standards. Under Flood Disaster Protection, any project located in the 100-year flood plain will maintain flood insurance in the amount of the rehabilitation. For Toxic Hazards, the project will be clear of hazards that impact health and safety of occupants.

Public Comments: Any individual, group, or agency may submit written comments on this ERR to the Portland Housing Bureau- Home Repair Grant Program and the acquisition of homes for the purpose of affordable homeownership at the address above. **All comments received by July 6, 2020** will be considered by the Portland Housing Bureau prior to submission of a Request for Release of Funds. An Environmental Review Record (ERR and documents the environmental determinations for this project, and may be examined at the Portland Housing Bureau's website:

www.portland.gov/phb/tier-1-environmental-review Comments may be submitted by email to Emma Deppa at Emma.Deppa@PortlandOregon.gov or by mail to Portland Housing Bureau, Attention Emma Deppa, 421 SW 6th Avenue, Suite 500, Portland, OR 97204.

Environmental Certification: The City of Portland certifies to HUD that the Portland Housing Bureau 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 City of Portland to use CDBG Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The U.S. Department of Housing & Urban Development will consider objections to its release of funds and the City of Portland's certification received by **July 7, 2020** or a period of fifteen days from its 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 or other officer of the City of Portland approved by HUD; (b) the City of Portland 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 HUD; (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 Portland_RROF@hud.gov; U.S. Department of Housing & Urban Development at Edith Green-Wendell Wyatt Federal Building 1220 SW 3rd Avenue, Suite 400 Portland, OR 97204-2825. Potential objectors should contact the U.S. Department of Housing & Urban Development to verify the actual last day of the objection period.

Stella Martinez, Certifying Officer
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