

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

On or about March 18, 2010 Texas Department of Housing & Community Affairs (TDHCA) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) Disaster Recovery funds awarded under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act (Public Law 110-329), enacted on September 30, 2008, as amended, to undertake a project known as The Hurricane Ike Disaster Recovery Program, for the purpose of rehabilitation and/or reconstruction of homes in the designated counties of: Cherokee, Gregg, Harrison, Rusk and Smith. TDHCA will utilize \$415,117 for a tiered-review construction program of single-family owner occupied housing which may include demolition, rehabilitation and/or reconstruction activities. Specific sites are being determined and funds will not be obligated to a specific activity until after a site-specific review is completed to address environmental factors.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at TDHCA at the above address and may be examined or copied weekdays 9:00 A.M. to 4:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to TDHCA at the address below or through email to gilbert.martinez@tdhca.state.tx.us. All comments received by March 17, 2010 will be considered by TDHCA prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

TDHCA certifies to HUD that Ms. Lora Myrick, in her capacity as Director of Program Services, 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 TDHCA to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and TDHCA's certification received by April 5, 2010 or for a period of fifteen days following 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 TDHCA; (b) TDHCA 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 project have committed funds or incurred costs 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) and shall be addressed to: Mr. Scott Davis, Director, Disaster Recovery at HUD Headquarters, 451 7th Street SW, Room 7272, Washington, DC 20410; or scott.g.davis@hud.gov. Potential objectors should contact HUD at (202) 708-3587 to verify the actual last day of the objection period.

Lora Myrick, TDHCA, Program Services Director

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