

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

The language below is HUD's recommended wording of the Notice of Intent to Request Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, §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.

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

Date of Publication: *[date published]*

Name of Tribe

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

City, State, Zip Code

Telephone Number of RE

On or after *at least one day after the end of the comment period* **the name of Tribe will authorize the** *[name of tribal housing authority]* **to submit a request to the HUD Program Office for the release of name of grant program funds under Title/Section [xx] of the name of the appropriation Act of [year], as amended, to undertake the following project:**

Tier 1 Broad Review Project/Program Title: *State the project/program name.*

Purpose: *Summarize purpose and need for the project/program.*

Location: *Give the general idea of the location and state specific addresses will be assessed in the site specific reviews.*

Project/Program Description: *Describe what the project/program does, what is going to be done and how. 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: *Give the specific categorical exclusion citation under which the program falls. For example, for a Rehabilitation Program of home-owner occupied single family homes, state: "24 CFR Part 58.5(a)(3)(i)"*

Tier 2 Site Specific Review: **The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review:** *List the laws and authorities that were not addressed in the tier 1 broad review and will be addressed in the tier 2 site specific review.*

Mitigation Measures/Conditions/Permits (if any): *For each of the laws and authorities listed in the tier 2 site specific review, describe how issues will be addressed, and how mitigation measures, conditions or permits required will be implemented.*

Estimated Project Cost: *Include HUD funding & total estimated project cost.*

The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per give citation listed above. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at name and address of Tribal 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 __A.M to __P.M..

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Tribally 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 Tribe prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The name of Tribe certifies to HUD that name of Certifying Officer, 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the name of Tribe'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 Tribe; (b) the name of Tribe 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 HUD administration office at address of that office. Potential objectors should contact HUD to verify the actual last day of the objection period.

Name and Title of Tribal Certifying Officer, 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 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.