

## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

City of Warren  
One City Square  
Warren, MI 48093  
(586) 574-4686

On or about October 15, 2020, the City of Warren, MI will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of the Lead-Based Paint Hazard Control Grant Program (LBPHC) is authorized by Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, 42 U.S.C. 4852) and funding is provided by the Consolidated Appropriations Act, 2018 (Public Law 115-141), approved March 23, 2018, and the Consolidated Appropriations Act 2019 approved February 15, 2019, (Public Law 116-16). The Healthy Homes Supplemental funding is authorized under Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-2), with funding approved by the same Appropriations Acts, for the following multi-year program/project: The City of Warren's Lead Hazard Control and Healthy Homes Program (MILHB0733-19) will eliminate lead hazards through abatement or interim control using lead funding. Using Healthy Homes funding, additional prioritized repairs will be addressed from the pool of applicants based on need. The City of Warren is requesting the release of \$1,000,000 in Lead Hazard Control Funding, \$300,000 in Healthy Homes Supplemental Funding, and \$126,300.77 in match.

The proposed hazard control activities to be funded under these programs are categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at § 58.5 of 24 CFR Part 58. In accordance with § 58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target area(s) listed above. Other applicable environmental laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target area has been studied and compliance with the following laws and authorities has been achieved in this Tier 1 review: Airport Hazards [Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D], Coastal Barrier Resources [Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]], Air Quality [Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93], Coastal Zone Management [Coastal Zone Management Act, sections 307(c) & (d)], Endangered Species [Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402], Farmlands Protection [Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR Part 658], Sole Source Aquifers [Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149], Wetlands Protection [Executive Order 11990, particularly sections 2 & 5], Wild and Scenic Rivers [Wild and Scenic Rivers Act of 1968, particularly section 7(b) & (c)], and Environmental Justice [Executive Order 12898].

Site-specific environmental reviews will include compliance with the following environmental laws and authorities for proposed projects funded under the program(s) listed above: Flood Insurance [Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]], Contamination and Toxic Substances [24 CFR 50.3(i) & 58.5(i)(2)] (HUD Standard), Explosive and Flammable Hazards (Above-Ground Tanks) [24 CFR Part 51 Subpart C], Floodplain Management [Executive Order 11988, particularly section

2(a); 24 CFR Part 55], Historic Preservation-[National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR Part 800], and Noise Abatement and Control [Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B].

Should individual aggregate projects exceed the threshold for categorical exclusion detailed at §58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant Impact and Request for Release of Funds published. Copies of the compliance documentation worksheets are available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at the Office of Community & Economic Development, One City Square, Suite 210, Warren, MI 48093. The ERR will be made available to the public for review either electronically or by U.S. Mail. Please submit your request by email to [home@cityofwarren.org](mailto:home@cityofwarren.org).

#### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Warren. All comments received by October 14, 2020 will be considered by the City of Warren prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

#### RELEASE OF FUNDS

The City of Warren certifies to HUD that James R. Fouts in his official capacity as Mayor of Warren, 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 Warren to utilize federal funds and implement the Program.

#### OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the City of Warren certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the City of Warren (b) the City of Warren has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the City of Warren 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 may be addressed to HUD and sent to the email address as follows: Karen M. Griego, Office of Lead Hazard Control and Healthy Homes, Program Environmental Clearance Officer, U.S. Department of Housing and Urban Development [LeadRegulations@HUD.GOV](mailto:LeadRegulations@HUD.GOV) Potential objectors may contact HUD directly to verify the actual last day of the objection/comment period.

**JAMES R. FOUTS, Mayor**  
**Posted [cityofwarren.org](http://cityofwarren.org) September 30, 2020**

