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# Sample Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds [Tiered Reviews]

The sample language below is the recommended wording of HUD’s combined Notice of Finding of No Significant Impact and Notice of Intent to Request a Release of Funds, modified for tiered reviews. This Notice is used for projects requiring an Environmental Assessment (24 CFR Part 58, Section 58.36]. Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity.

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**NOTICE OF FINDING OF NO SIGNFICANT IMPACT AND**

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

**FOR TIERED PROJECTS AND PROGRAMS**

**Date of Publication:** *[date published]*

*Name of Responsible Entity (RE)*

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

*City, State, Zip Code*

*Telephone Number of RE*

**These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the** *name of RE or grant recipient.*

# REQUEST FOR RELEASE OF FUNDS

**On or about** *at least one day after the end of the comment period* **the** *name of RE* **will****submit a request to the** *HUD Program Office/State administering agency* **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 that 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.**

**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.*

# FINDING OF NO SIGNIFICANT IMPACT

### **The** *name of RE* **has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Each tier 2 site specific review completed for this project will include verification the review of authorities not addressed in the tier 1 broad review supports the Finding of No Significant Impact. If the site specific review does not result in verification of the Finding of No Significant Impact,** *name of RE* **will not proceed with the proposed activities under this notice. Additional project information is contained in the Tier Environmental Review Record (ERR) on file at** *name and address of RE 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** *RE designated office responsible for receiving and responding to comments.* **All comments received by** *if notice is published: notice date plus fifteen days, ending on a work day; if notice is mailed and posted: mailing and posting date plus eighteen days, ending on a work day* **will be considered by the** *name of RE* **prior to authorizing submission of a request for release of funds.**

**ENVIRONMENTAL CERTIFICATION**

**The** *name of RE* **certifies to** *HUD/State* **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/State’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/State* **will accept objections to its release of fund and the** *RE’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 RE;* **(b) the** *RE* **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/State***; 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/State administration office* **at** *address of that office.* **Potential objectors should contact** *HUD/State* **to verify the actual last day of the objection period.**

*Name and Title of RE Certifying Officer,* **Certifying Officer**

### Note: The fifteen or eighteen-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. 24 CFR Part 58 requires, at Section 58.46, “Time delays for exceptional circumstances,” a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. 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.