

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

September 14, 2022

City of Burlington Community & Economic Development Office (CEDO)
149 Church Street, Third Floor, Room 32
Burlington, Vermont 05401
802-865-7144

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Burlington.

REQUEST FOR RELEASE OF FUNDS

On or about September 30, 2022 the City of Burlington will submit a request to HUD for the release of HOME Investment Partnership Program funds under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended to undertake a project known as Burlington City Place Affordable Housing. The project is located at 130 Bank Street, Burlington, Vermont and includes new construction of an 8-story affordable housing building. The project is in the location of the former Burlington Mall building, which was demolished in 2018. The scope of work includes the following. Prior to the construction of the affordable housing project, a master podium structure will be constructed over most of the 2.53 acre parcel, which will support multiple mixed-use buildings, including the proposed 8-story 80-88 unit affordable housing building, and will accommodate parking under the buildings. The master project also proposes reconnection of both Pine and St. Paul Street between Bank and Cherry Streets. This environmental review includes the entire land area of the parcel, the parking and podium structures, reconnection of the two streets, and the affordable housing building itself. Mitigation measures include adherence to a Vermont Department of Environmental Conservation approved Corrective Action Plan, which requires the installation of a sub-slab depressurization system (SSDS) to mitigate impacts from off-site vapor migration, monitoring of the SSDS, and additional soil testing, if required, for the purposes of assessing potential urban soils if any are encountered, and management of such soils. The SSDS will double as a radon mitigation system. Mitigation measures also include that the project shall acquire all necessary permits before the project can be completed. The estimated total cost of the project is approximately \$26,320,000 including \$275,000 in HOME funds from the City of Burlington. The project also anticipates pursuing Section 8 Project-Based Vouchers. Other Federal funding sources include various funds provided by and through the State of Vermont. A separate combined notice will be completed for such funds by the State of Vermont.

FINDING OF NO SIGNIFICANT IMPACT

The City of Burlington 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. An Environmental Review Record (ERR) that documents the environmental determinations for this project online https://www.hudexchange.info/programs/environmental-review/environmental-review-records/?filter_status=PT%20CPN&filter_state=VT&filter_city=BURLINGTON&program=ERR&group=. Additional project information is contained in the Environmental Review Record (ERR)

on file at 149 Church Street, Room 32, Burlington, VT 05401 and may be examined or copied weekdays 9:00 A.M to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the CEDO offices, located on the third floor of 149 Church Street, Burlington, VT, via email to hobrien@burlingtonvt.gov, or via phone at 802-865-7144. All comments received by September 29, 2022 at 5:00 p.m. will be considered by the City of Burlington prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Burlington certifies to HUD that Miro Weinberger in his capacity as Mayor of Burlington 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 Burlington to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the City of Burlington'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 City of Burlington; (b) the City of Burlington 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 Director Robert D. Shumeyko at 10 Causeway Street, 3rd Floor, Boston, MA 02222. Potential objectors should contact HUD to verify the actual last day of the objection period.

Miro Weinberger, Mayor of Burlington