

**COMBINED NOTICE OF FINDING OF NO SIGNFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
CITY OF BURLINGTON & STATE OF VERMONT**

September 21, 2016

Mayor Miro Weinberger
City of Burlington
149 Church Street
Burlington, VT 05401
802-865-7272

Vermont Agency of Commerce and Community Development
Lucy Leriche, Secretary of Vermont Agency of Commerce and Community Development
One National Life Drive, Davis Building, 6th Floor
Montpelier, VT 05620
802-828-1357

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Burlington and the Vermont Agency of Commerce and Community Development (the Agency).

Request for Release of Funds

On or about October 7, 2016, the City of Burlington will submit a request to HUD to release funds under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended; and the Agency will submit a request to HUD to release funds under the Economic Development Initiative (EDI)- Special Project Grants, as amended, to undertake a project known as Affordable Housing at Cambrian Rise for the purpose of creating affordable housing through the construction of up to 160 units of new, primarily affordable housing serving low and moderate income households. The project is located at 351 North Ave, Burlington (future address yet to be determined). The total estimated cost of the project is \$40,000,000; approximately \$245,000 of HOME Investment Partnership Program Funds, and approximately \$400,000 of Vermont Housing and Conservation Board (VHCB) Land Bank Loan Funds (revolved FFY09 and FFY10 HUD EDI Special Project Grant funding) for the acquisition of the site prior to the development and construction costs. Project and/or tenant-based Section 8 rental assistance may be used for the proposed units. This project includes new construction and the buildings will be constructed using radon resistant construction methodologies. Post-construction radon tests will be completed by a certified radon professional; additional mitigation will be required if results show elevated radon levels. No federal funds for development shall be committed prior to State Historic Preservation Officers (SHPO) approval of the project plans for new construction. A zoning change has been requested and is under consideration by the City to change the zoning for this site from its current Residential Medium Density- Waterfront (RM-W) zoning district to Neighborhood Activity Center (NAC) zoning district. This project shall receive all applicable zoning permits. All permit conditions shall be followed and all permits shall be closed out upon

completion. Project shall receive all applicable permits and a certificate of occupancy shall be obtained upon project completion. Project shall be in compliance with the approved Erosion Prevention and Sediment Control Plan and Stormwater Management Plan. ACT 250 will apply to the entire PUD project at 351 North Avenue, of which this property is a part. ACT 250 permit will be obtained and all conditions shall be met. All applicable, local, state and federal permits and approvals shall be obtained, all conditions shall be followed, and all permits shall be closed out upon completion. Phase I Environmental Site Assessment study shall be updated per HUD requirements prior to the commitment of funds.

Finding of No Significant Impact

The City of Burlington and the Agency have 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. Additional project information is contained in the Environmental Review Record (ERR) on file at the municipal office of the City of Burlington Community & Economic Development Office located at 149 Church Street, Room 32, Burlington, VT 05401 and may be examined or copied weekdays 8:30AM to 4:30PM, or at the Agency at One National Life Drive, Davis Building, 6th Floor, Montpelier, VT 05620, and may be examined or copied Monday through Friday from 7:45AM to 4:30PM.

Public Comments

Any individual, group, or agency may submit written comments on the ERR to the City of Burlington regarding the use of HOME funds, Attn: Mayor Miro Weinberger, or to the Agency for the use of VHCB Land Bank Loan/HUD EDI Special Project Grant Funds, Attn: Environmental Officer, to the corresponding addresses listed above. All comments received by October 6, 2016, will be considered by the City of Burlington and the Agency prior to authorizing the submission of a request for release of funds. Comments must specify which Notice they are addressing—the Finding of No Significant Impact or the Request for the Release of Funds.

Environmental Certification

The City of Burlington is certifying to HUD that the City of Burlington and Miro Weinberger in his official capacity as Mayor, and the Agency is certifying to HUD that the Agency and Lucy Leriche, in her official capacity as Secretary of the VT Agency of Commerce and Community Development, consent 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 the National Environmental Policy Act and related laws and authorities and allows the City of Burlington to use HOME funds and the Agency to use the VHCB Land Bank Loan/HUD EDI Special Project Grant Funds.

Objections to Release of Funds

HUD will accept an objection to its approval of the release of funds and the City of Burlington's and the Agency'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 Officers, Mayor Miro Weinberger/Lucy Luriche; (b) the City/Agency 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 the 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 the US Department of HUD – Boston Field Office, Community Planning and Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, 3rd Floor, Boston, MA 02222-1092. Potential objectors should contact the HUD to verify the last day of the objection period.