

INSTRUCTIONS & TEMPLATE FOR PUBLISHING A FONSI NOTICE **(CDBG Projects Only)**

Projects requiring an **ENVIRONMENTAL ASSESSMENT (EA)** type review – larger new (new construction projects - must publish a notice in a paper of general circulation. After the EA checklist is submitted via the WebGrants system and approved by the State, this FONSI notice should be published once. A 30 day comment period follows: A 15 day comment period to the City/County carrying out the project and a 15 day comment period to the State.

Note: Please do not publish the FONSI notice prior to review by the HUD Environmental Review Officer. It's better to do it right the first time!

TO PUBLISH A FONSI:

1. Prepare a draft version of the notice inserting all the appropriate information:
 - Responsible Entity – City or County who is the legal CDBG grantee
 - Recipient – City or County or pass through agency carry out project
 - Address
 - Project name
 - total funds in project.

2. Before publishing, ask the newspaper to provide the exact date on which the publication will appear. Insert that date as the date of publication. Add sixteen (16) days to that date. This is the date that must be inserted in the "On or about _____" field in the first paragraph of the publication. ***It is important that this date be exact. If it is incorrect, you may be required to republish.*** This is the period of time which must be allowed for the public to be made aware of the project and comment on the environmental review if they so desire. Enter the last day of the comment period in the appropriate place. (This is the 15th day after publication.)

3. If no comments have been received during the 15 day comment period, the Proof of Publication and **REQUEST FOR RELEASE OF FUNDS (RROF)** form should be submitted to DHCD's Environmental Review Officer. The RROF form is posted at DHCD's Environmental Review website. The State's 15 day comment period begins the day after DCD receives a copy of the RROF form and copy of the proof of publication.

4. Complete the **Publication Notification Form** and e-mail a copy to the HUD Environmental Review Officer. This form is also found at the Environmental Review webpage.

5. Call the HUD Environmental Review Officer if you have any questions about this process.

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS
(Publish this notice after completing the EA Review.
Contact Cheryl Brown for instruction regarding this publication.)**

DATE OF PUBLICATION
RESPONSIBLE ENTITY
ADDRESS
PHONE

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by **RESPONSIBLE ENTITY**.

REQUEST FOR THE RELEASE OF FUNDS

On or about (**INSERT 16th day after publication date**), **RESPONSIBLE ENTITY**, will submit a request to the State of Utah, Department of Community and Culture, Division of Housing and Community Development (DHCD) for the release of Community Development Block Grants Funds (CDBG) under Title I of the Housing and Community Development Act of 1974 (PL93-383) to undertake the project known as **PROJECT NAME** for the purpose of construction of **BRIEF PROJECT DESCRIPTION and ADDRESS**. The total estimated cost of the project is \$ _____.

FINDING OF NO SIGNIFICANT IMPACT

An environmental review for the project has been made by **RESPONSIBLE ENTITY** and is available for public examination and copying at (**RESPONSIBLE ENTITY ADDRESS**) weekdays between the hours of _____. Based on this review, **RESPONSIBLE ENTITY** has determined that the project will have no significant impact on the human environment and hence an environmental impact statement will not be undertaken under the National Environmental Policy Act of 1969 (NEPA).

PUBLIC COMMENTS ON FINDING

All interested agencies, groups and persons disagreeing with this determination are invited to submit written comments to **RESPONSIBLE ENTITY AND ADDRESS** by (**15th day after publication**). All comments should specify which Notice they are addressing.

RELEASE OF FUNDS

RESPONSIBLE ENTITY is certifying to DHCD that _____ (**environmental certifying officer**), in his official capacity, consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, **RECIPIENT**, may use the CDBG funds and **RESPONSIBLE ENTITY** will have satisfied its responsibilities under the National Environmental Policy Act of 1969 and other environmental responsibilities listed in 24 CFR Part 58.

OBJECTIONS TO STATE RELEASE OF FUNDS

DHCD will accept objections to its release of funds and **RESPONSIBLE ENTITY'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 made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the **RESPONSIBLE ENTITY**; (b) **RESPONSIBLE ENTITY** has omitted a step or failed to make a decision or finding required by U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the **RECIPIENT** has committed funds or incurred costs not authorized by 24 CFR Part 58 before the approval of a release of funds by the (U.S. Department of Housing and Urban Development 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 of 24 CFR Part 58 and shall be addressed to the Cheryl Brown, State of Utah, Division of Housing & Community Development, 324 South State Street, Suite 500, Salt Lake City, Utah. Potential objectors should contact Cheryl Brown at DHCD to verify the actual last day of the objection period.

_____ Environmental Certifying Officer