

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

July 16, 2018

City of Houston
Housing and Community Development Department (HCDD)
601 Sawyer, 4th Floor
Houston, TX 77007
(832) 394-6183

This Notice shall satisfy the above-cited two separate but related procedural notification requirements.

REQUEST FOR RELEASE OF FUNDS

On or about **Wednesday, August 1, 2018** the City of Houston's Housing and Community Development Department will submit a request to the U.S. Department of Housing and Urban Development for the release of the following funds:

Economic Development Initiative (EDI) funds authorized by Title I, Section 108(q) of the Housing and Community Development Act of 1974 (P.L. 93-383, 42 U.S.C. 5308), and

Section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), regulations at 24 CFR part 570, subpart M,

to undertake a project known as:

Project Title: Avenue Center (Community Hub & Program Center)

Location: 3517 Irvington Blvd., Houston, Harris County, Texas 77009 (aka 3516 Fulton; per HCAD 0 Collingsworth, #138-742-001-0001)

Purpose of project: The Housing and Community Development Department (HCDD) requests City Council approval of a Contract between the City of Houston and Avenue Community Development Corporation (Avenue CDC) granting \$4,500,000.000 in Economic Development Initiative Funds and a \$1,500,000.00 Section 108 loan totaling \$6,000,000.00 in total funding to construct a 31,016 square foot community hub called Avenue Center, located within the Enhanced Enterprise Community (EEC) boundaries (the Near Northside, a historic neighborhood).

The proposed community hub ("Avenue Center") will be located at 3517 Irvington Boulevard at the intersection of 3516 Fulton Street. Avenue Center will house Avenue's homebuyer education classes and resident leadership development. The community hub will also house other programs operated by partner organizations including a primary health care clinic, an early childhood development program, and a high school educational enrichment and drop-out prevention program. The Avenue Center will be accessible to approximately 18,465 low-to-moderate income persons and is anticipated to serve 5,000 clients.

According to the Harris County Appraisal District (HCAD), the subject property is currently owned by Avenue Community Development Corporation (Avenue CDC). HCAD property account number is 138-742-001-0001.

Conditions of Note:

- a) While potential RECs were identified on this site in 2014, they were ruled out by the Phase II ESA done the same year. The 2018 Phase I ESA showed results consistent with the 2014 Phase II and that no subsequent RECs were located on site.

In the unforeseen event that any undiscovered Recognized Environmental Conditions (RECs) are identified in the course of construction, work shall cease and mitigation will be required to eliminate the RECs and any potential adverse impacts that stem from them.

- b) The Texas Historical Commission (THC) has made the following statement, confirming that the project has no foreseen historical impact:

Above-Ground Resources: No historic properties are present or affected by the project as proposed.

However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments: No historic properties present or affected.

However, if buried cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

Please note that the THC made the determination they did with the information that Near Northside was an historic neighborhood, which was provided in the letter.

- c) Noise estimates were calculated at just over 65 decibels (dB) hence the project is in a Normally Unacceptable Noise Zone (NUNZ) (65 to 75 dB) per HUD regulations found at 24 CFR 51. This project is a community center, not a residential facility, nevertheless the possibility that young children might use the early childhood education facility to sleep/take naps has been deemed foreseeable. **A recommendation was made by the HCDD Environmental Team to encourage noise mitigation for interior areas that will be used for educational purposes and other activities where a quiet environment is beneficial. Avenue CDC has confirmed that noise levels will be under 45 decibels inside. So long as it is foreseeable that children will sleep in these facilities, the project is subject to HUD liability if these conditions are not met, as determined by an architect or acoustical engineer.**

Penalties for failure to meet the above-mentioned conditions include, but are not limited to, potential payback of federal funds.

**Grant No. & Amount: EDI Grant Number E-95-EZ-48-0006, \$4,500,000.00;
Section 108 Grant Number B-94-MC-48-0018 \$1,500,000.00**

FINDING OF NO SIGNIFICANT IMPACT

The City of Houston 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. Additional project information is contained in the Environmental Review Record (ERR) on file at the above address and is available for public examination or copying weekdays 8 A.M. to 5 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 601 Sawyer, 4th Floor, Houston, Texas 77007. All comments received by the close of business on **Tuesday, July 31, 2018** will be considered by the City of Houston prior to authorizing submission of a request for release of funds. Commentors should specify which part of this Notice they are addressing.

RELEASE OF FUNDS

The City of Houston certifies to HUD that Sylvester Turner, in his capacity as Mayor, 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 Houston to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the City of Houston certification received by the close of business on **Thursday, August 16, 2018** or a period of fifteen days from its 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 or other officer of the City of Houston approved by HUD; (b) the City of Houston, as Responsible Entity, 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 project have committed funds or incurred costs 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) and shall be addressed to: U.S. Department of Housing and Urban Development, 1301 Fannin Street, Suite 2200, Houston, Texas 77002. Potential objectors should contact HUD to verify the actual last day of the objection period.

Sylvester Turner, Mayor
City of Houston