

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
FOR TIERED PROJECTS AND PROGRAMS**

**Date of Publication:** *March 20<sup>th</sup>, 2022*

*City of Pompano Beach  
100 West Atlantic Blvd  
Pompano Beach, FL 33060  
954-786-4600*

**On or after April 4<sup>th</sup>, 2022 the City of Pompano Beach will submit a request to the HUD for the release of CDBG funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake the following projects:**

**Project 1**

**Title:** *Owner Occupied Rehabilitation Program*

**Purpose:** *Low- and Moderate-Income homeowners in the City of Pompano Beach may need assistance in maintaining safe and secure housing. This program will utilize grant funds to provide minor rehabilitation for eligible households.*

**Location:** *Citywide*

**Project/Program Description:** *The proposed project will provide owner-occupied rehabilitation to low- and moderate-income homeowners who are experiencing conditions in and around the home that pose a threat to health, safety, and welfare of the household occupants.*

**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.**

**Level of Environmental Review Citation:** *24 CFR 58.35(a)(3)*

**Tier 2 Site Specific Review: The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review:**

- *Airport Hazards – 24 CFR Part 51 Subpart D*
- *Flood Insurance – Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994*
- *Contamination and Toxic Substances – 24 CFR Part 58.5(i)(2)*
- *Floodplain Management – Executive Order 11988*
- *Historic Preservation – National Historic Preservation Act of 1966*
- *Noise Abatement and Control – Noise Control Act of 1972*
- *Environmental Justice – Executive Order 12898*

**Mitigation Measures/Conditions/Permits (if any):**

- *Airport Hazards – Any activities that occur within 2,500 ft of an airport runway will undergo additional evaluation to ensure compliance with this factor.*
- *Flood Insurance – Activities that occur within a Special Flood Hazard Area will require flood insurance coverage.*
- *Contamination and Toxic Substances – An analysis of potential site contamination will be completed as part of the Tier II process. In the event contamination is present then appropriate mitigation will occur in compliance with federal, state, and local regulations.*
- *Floodplain Management – In the event that a project occurs in a Special Flood Hazard area a 5-Step Decision Making Process will be completed.*
- *Historic Preservation – As part of the Tier II process the City will consult with the State Historic Preservation Office to address any potential impact on historic properties.*

- *Noise Abatement and Control – The Tier II process will include an analysis of potential noise generators in the area to ensure compliance with this factor.*
- *Environmental Justice – If a Tier II identifies any negative environmental impacts then a demographic analysis will verify that low- and moderate-income and/or minority households are not impacted disproportionately.*

**Estimated Project Cost:** \$1,000,000 over 5 years (includes the emergency repair program)

## **Project 2**

**Title:** *Emergency Repair Program*

**Purpose:** *Households in the City of Pompano Beach may need support to address housing emergencies. This program will utilize grant funds to provide emergency support for eligible households.*

**Location:** *Citywide*

**Project/Program Description:** *The proposed project will provide owner-occupied rehabilitation to low- and moderate-income homeowners who are experiencing conditions in and around the home that pose a threat to health, safety, and welfare of the household occupants.*

**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.**

**Level of Environmental Review Citation:** *24 CFR 58.35(a)(3)*

**Tier 2 Site Specific Review: The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review:**

- *Airport Hazards – 24 CFR Part 51 Subpart D*
- *Flood Insurance – Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994*
- *Contamination and Toxic Substances – 24 CFR Part 58.5(i)(2)*
- *Floodplain Management – Executive Order 11988*
- *Historic Preservation – National Historic Preservation Act of 1966*
- *Noise Abatement and Control – Noise Control Act of 1972*
- *Environmental Justice – Executive Order 12898*

**Mitigation Measures/Conditions/Permits (if any):**

- *Airport Hazards – Any activities that occur within 2,500 ft of an airport runway will undergo additional evaluation to ensure compliance with this factor.*
- *Flood Insurance – Activities that occur within a Special Flood Hazard Area will require flood insurance coverage.*
- *Contamination and Toxic Substances – An analysis of potential site contamination will be completed as part of the Tier II process. In the event contamination is present then appropriate mitigation will occur in compliance with federal, state, and local regulations.*
- *Floodplain Management – In the event that a project occurs in a Special Flood Hazard area a 5-Step Decision Making Process will be completed.*
- *Historic Preservation – As part of the Tier II process the City will consult with the State Historic Preservation Office to address any potential impact on historic properties.*
- *Noise Abatement and Control – The Tier II process will include an analysis of potential noise generators in the area to ensure compliance with this factor.*
- *Environmental Justice – If a Tier II identifies any negative environmental impacts then a demographic analysis will verify that low- and moderate-income and/or minority households are not impacted disproportionately.*

**Estimated Project Cost:** \$1,000,000 over 5 years (includes the emergency repair program)

### **Project 3**

**Title:** *New Construction Program*

**Purpose:** *The City of Pompano Beach lacks affordable housing units for low- and moderate-income households. This program will help produce additional new units in the community.*

**Location:** *Citywide*

**Project/Program Description:** *The proposed project would use federal grant funds to build new affordable housing units in the City of Pompano Beach.*

**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.**

**Level of Environmental Review Citation:** *24 CFR 58.35(4)(i)*

**Tier 2 Site Specific Review: The site-specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review:**

- *Airport Hazards – 24 CFR Part 51 Subpart D*
- *Flood Insurance – Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994*
- *Contamination and Toxic Substances – 24 CFR Part 58.5(i)(2)*
- *Endangered Species – Endangered Species Act of 1973*
- *Explosive and Flammable Hazards – 24 CFR Part 51*
- *Floodplain Management – Executive Order 11988*
- *Historic Preservation – National Historic Preservation Act of 1966*
- *Noise Abatement and Control – Noise Control Act of 1972*
- *Wetlands Protection – Executive Order 11990*
- *Environmental Justice – Executive Order 12898*

**Mitigation Measures/Conditions/Permits (if any):**

- *Airport Hazards – Any activities that occur within 2,500 ft of an airport runway will undergo additional evaluation to ensure compliance with this factor.*
- *Flood Insurance – Activities that occur within a Special Flood Hazard Area will require flood insurance coverage.*
- *Contamination and Toxic Substances – An analysis of potential site contamination will be completed as part of the Tier II process. In the event contamination is present then appropriate mitigation will occur in compliance with federal, state, and local regulations.*
- *Endangered Species – Sites for new construction will consult with the US Fish and Wildlife iPac program to identify the presence of any endangered species or key habitats. If species are present then formal consultation with the US Fish and Wildlife will determine mitigation measures.*
- *Explosive and Flammable Hazards – The presence of aboveground tanks with fuel and other hazardous materials within 1-mile of the project site will be identified. An analysis of the blast radius of each tank will be conducted to ensure that the site is safe and secure.*
- *Floodplain Management – In the event that a project occurs in a Special Flood Hazard area a 5-Step Decision Making Process will be completed.*
- *Historic Preservation – As part of the Tier II process the City will consult with the State Historic Preservation Office to address any potential impact on historic properties.*
- *Noise Abatement and Control – The Tier II process will include an analysis of potential noise generators in the area to ensure compliance with this factor.*

- *Wetlands Protection – The Tier II review will map the presence of wetlands on the project site. If wetlands are present then mitigation measures will be implemented per federal guidance and regulations.*
- *Environmental Justice – If a Tier II identifies any negative environmental impacts then a demographic analysis will verify that low- and moderate-income and/or minority households are not impacted disproportionately.*

### **Estimated Project Cost:**

**The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 24 CFR 58.34(a)(3) and (4)(i). An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at City of Pompano Beach, 100 West Atlantic Blvd, Pompano Beach, FL 33060 and may be examined or copied weekdays 9 A.M to 5 P.M. or a copy can be provided by emailing Alexander Goldstein at Alexander.Goldstein@copbfl.com.**

### **PUBLIC COMMENTS**

**Any individual, group, or agency may submit written comments on the ERR City of Pompano Beach, 100 West Atlantic Blvd, Pompano Beach, FL 33060 or by emailing Miriam Carrillo at [Miriam.Carrillo@copbfl.com](mailto:Miriam.Carrillo@copbfl.com). All comments received by April 4<sup>th</sup>, 2022 will be considered by the City of Pompano Beach prior to authorizing submission of a request for release of funds.**

### **ENVIRONMENTAL CERTIFICATION**

**The City of Pompano Beach certifies to HUD that Rex Hardin, Certifying Officer, in their 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 Pompano Beach to use HUD program funds.**

### **OBJECTIONS TO RELEASE OF FUNDS**

**HUD will accept objections to its release of fund and the City of Pompano Beach'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 Pompano Beach; (b) the City of Pompano Beach 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 via email and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD – Miami Office at CPD\_COVID-19OEE-MIA@hud.gov. Potential**

**objectors should contact HUD – Miami Office to verify the actual last day of the objection period.**

*Rex Hardin, Mayor*