



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

Date of Publication: September 12, 2021

Responsible Entity: City of Nashua, NH

Address: City Hall, 229 Main Street Nashua, NH 03060

Telephone: 603-589-3087

On or after September 21, 2021 the City of Nashua, NH will submit a request to the U.S. Department of Housing and Urban Development for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974, (CFDA 14.218) as amended, to undertake the following project:

Tier 1 Broad Review Project/Program Title: Owner-Occupied and Rental Housing Improvement Programs

Purpose: The purpose of the Programs is to rehabilitate privately owned, residential property in the City of Nashua. Properties must be occupied by low-moderate income owners and/or tenants. Given the limited financial resources of lower income home owners and landlords renting to low-income tenants, the City has identified a need to subsidize the cost of rehabilitation in sub-standard housing.

Location: Eligible properties may be located throughout the City of Nashua. Specific addresses will be assessed in the site-specific reviews.

Project/Program Description: The City of Nashua's Urban Programs Department oversees these programs that cover rehab of owner-occupied (1-4 unit) and rental rehab (1-8 unit) properties in units occupied by low-moderate income owners and/or tenants. Proposed work includes minor rehab to addresses substandard housing conditions, including emergency health and safety corrections. Examples include, but are not limited to handicap accessibility modifications, heating & electrical systems, roofs, windows, plumbing, sewer lines, exterior cladding, asbestos and lead-paint remediation.

The Rehab Programs are funded by CDBG and often paired with other programs, such as the City's HUD-funded Lead Hazard Control Grant/State Lead-paint Loans and private funds, to maximize funding. No interest, deferred payment loans are offered as follows: Owner-occupied - \$40,000 first unit + \$5,000 for each additional unit, up to four units; Investor-owned - \$20,000 first unit + \$5,000 for each additional unit, up to eight units max (investors must contribute 10% of the project cost) Number of estimated units is 20/year between the two programs, city-wide.

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: Rehabilitation of home-owner occupied single family homes is covered by 24 CFR Part 58.35(a)(3)(i); and rehab of multifamily properties is covered by 24 CFR 58.35(a)(3)(ii).

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Site-specific environmental reviews will include compliance with the following environmental laws and authorities for proposed projects funded under the program(s) listed above: National Historic Preservation Act, National Flood Insurance Program requirements, and Contamination & Toxic Substances.

Mitigation Measures/Conditions/Permits (if any):

National Historic Preservation Act – The City has a Programmatic Agreement (PA) with NHDHR (SHPO) that covers much of the rehab work anticipated. Individual projects will be evaluated once the scope of work is known to determine the level of review required under the PA. Covered work listed within the PA does not require consultation with SHPO. For non-covered work, the City will consult with NHDHR as prescribed in the PA, using their Request for Project Review form. Project activities must result in a finding of "No Historic Properties Affected; or No Adverse Effect". Project activities initially determined to have an Adverse Effect on historic structures will undergo scope of work modification to achieve No Adverse Effect outcome, prior to project approval. Project activities that would have an Adverse Effect will be denied HUD assistance.

Flood Disaster Protection Act and National Flood Insurance Reform Act: Site specific review will be performed to determine compliance with this factor. FEMA.gov will be accessed to create a FIRMette. If the parcel is located in a Special Flood Hazard Area, the project will be approved with the condition that flood insurance under the NFIP must be obtained and maintained for the economic life of the activity to cover the total activity cost. A copy of the policy declaration must be kept in the project file. Nashua participates in the NFIP.

Contaminations & Toxic Substances: The City will review databases maintained by U.S. EPA and state, local, and tribal environmental quality departments or agencies to screen for potential on-site and off-site facilities that could pose health and safety problems and toxic clean-up sites that are presently under analysis or remediation. The City will investigate previous uses of the site, conduct site inspections and building and use permit records as well as Sanborn Co. maps. When site conditions indicate that the subject property is contaminated or likely contaminated by toxic substances, hazardous materials or petroleum products, the City will evaluate whether to proceed and if so, require an ASTM certified Phase I ESA report, or other studies where applicable. Any hazards that are identified shall be evaluated for the potential to affect the health and safety of the occupants and end-users.

Estimated Project Cost: Total estimated funding over a 5-year period is \$1,500,000 (\$1.25M CDBG, \$250,000 private).

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 58.35(a)(3)(i) and 58.35(a)(3)(ii). An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at City Hall, Community Development Division, Urban Programs, 229 Main Street, Nashua, NH 03060, and may be examined or copied weekdays Monday – Fridays 9:00 am to 4:00 pm, by appointment. The record is also available electronically upon request.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Urban Programs Manager, Carrie Schena via email to schenac@nashuanh.gov or urbanprograms@nashuanh.gov. All comments received by 4:00pm September 20, 2021 will be considered by the City of Nashua, NH prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of Nashua, NH certifies to HUD that James Donchess 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 Nashua to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of Nashua, NH'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 Nashua, NH; (b) the City of Nashua, NH 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 the U.S. Department of HUD, Office of Community Planning and Development via email at CPD_COVID-19OEE-BOS@HUD.GOV. Potential objectors should contact HUD to verify the actual last day of the objection period.

James Donchess, Mayor