**North Carolina Division of Water Infrastructure**

**Community Development Block Grant - Infrastructure Program**

**Request for Release of Funds and Environmental Certification**

**Instructions**

**Part 1. Program Description and Request for Release of Funds**

*Box 1*. Enter Grantee Name, Grant Number, and Project Number. *Please note the grant recipient is the Responsible Entity (RE)*

*Box 2*. Enter Grant Number

*Box 3.* Enter Grantee Address

*Box 4*: Enter date of request. This date should be *no earlier* than the day *after* the local comment period ends.

*Box 5* – 6: Enter project name and description. This should match the project description from the Environmental Review Record (ERR) and that of the public notice.

**Part 2. Environmental Certification** *(Please read carefully)*

*Item 4.* Indicate by checking in the box whether an EIS was triggered or not.

*Item 7:* Please attach evidence of the public notice. When *publishing*, submit legible copies of the newspaper clipping(s) and affidavit(s) with the cover letter and *original* signed/dated RROF Environmental Certification form to the Division. When *posting*, submit a copy of what was actually posted, submit the certification from the Certifying Officer of at least 3 public places (preferably with addresses) where the public notice was displayed, and the *original* signed/dated RROF Environmental certification form.

*Table*: Enter the date of the posting/publication of the public notice and enter the applicable comment period dates. Please note that the comment period does not start until the day *after* posting/publishing.

*Signature*: Insert the requested information for the Certifying Officer of the Responsible Entity (per 24 CFR 58.13). The *dated* signature should match that of Box 4 Part 1 and shall be no earlier than the day *after* the local comment period has concluded. If the Certifying Officer is not the Chief Elected Official, please contact the Division for further instructions.

**Submitting Documents**

When **all** components are complete and attached, submit the original signed and dated RROF Environmental Certification along with the form and a copy of the complete Environmental Review Record (ERR) to the Division. Please note that the Division should not receive an original signed/dated RROF until after the local comment period has ended per 24 CFR Part 58. However, if the local government has need of *technical assistance*, an unsigned draft can be submitted via email for review. For technical assistance, please email CDBG-I’s compliance specialist.

**North Carolina Division of Water Infrastructure**

**Community Development Block Grant - Infrastructure Program**

**Request for Release of Funds and Environmental Certification**

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States.

**Part 1. Program Description and Request for Release of Funds**

*Please note the grant recipient is the Responsible Entity (RE)*

|  |  |
| --- | --- |
| 1. Responsible Entity’s Name       | 2. Grant Number      |
| 3. Responsible Entity’s Address (include Street, City, State, and Zip Code      | 4. Date of Request/ Certification      |
| **REQUEST FOR RELEASE OF FUNDS. The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following:** |
| 5. Project Name      |
| 5. Project Description      |

**Part 2. Environmental Certification:** (*to be completed by Responsible Entity)*

With reference to the above project, I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental criteria, standards, procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6, applicable State and local laws, and applicable regulations of the North Carolina Department of Commerce.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the level of environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal [ ]  did [ ]  did not require the preparation and dissemination of an environmental impact statement (EIS).
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.
7. The dates upon which all statutory and regulatory time periods for review, comment, or other response or action in regard to this clearance began and ended as indicated below, and that with the expiration of each of the time periods indicated below, the recipient is in compliance with the requirement of 24 CFR Part 58;

|  |  |  |
| --- | --- | --- |
|  ITEM | COMMENCEMO/DAY/YEAR | EXPIREMO/DAY/YEAR |
| Notice of Finding of No Significant Environmental Impact Publication **(FONSI)** |       |       |
| Combined Notice of Finding of No Significant Environmental Impact and Notice of Intent to Request Release of Funds: **(Date of Notice:**      **)***15 Day Simultaneous Publication*  |       |       |
| Combined Notice of Finding of No Significant Environmental Impact and Notice of Intent to Request Release of Funds: **(Date of Notice:**      **)***18 Day Simultaneous Posting* |       |       |
| Notice of Intent to File EIS: Publication |       |       |
| Draft EIS: Comment Period |       |       |
| Same: 90-Day Period (CEQ) |       |       |
| Final EIS: 30-Day Period (CEQ) |       |       |
| Notice of Intent to Request Release of Funds: *7 Day Publication* **(Date of Notice:**      **)** |       |       |
| Notice of Intent to Request Release of Funds: *10 Day Posting* **(Date of Notice:**      **)** |       |       |

As the duly designated certifying officer of the responsible entity, I also certify that:

8. I am authorized to, and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law specified in 24 CFR 58.5 list of NEPA-related authorities insofar as the provision of these laws apply to CI/CFC’s responsibility for environmental review, decision-making and action that have been assumed and carried out by the responsible entity.

9. I am authorized to and do accept, on behalf of the responsible entity personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my official capacity as certifying officer of the responsible entity.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Certifying Officer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Certifying Officer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Agency and Address

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date Signed

**Warning Section 1001 of Title 18 of the United States Code of Criminal procedure shall apply to this certification. Title 18 provides among other things, that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry in any matter within the jurisdiction of any department or agency of the United States, shall be fined not more than $10,000 or imprisoned not more than five years or both.**