**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN AND/OR WETLANDS**

**[Insert date of Notice.]**

**[Insert name of Responsible Entity.]**

**[Insert mailing address of Responsible Entity.]**

**[Insert City, State, and Zip Code of Responsible Entity.]**

**[Insert the telephone number of the Preparer.]**

These notices shall satisfy three separate but related procedural requirements for activities to be taken by the [Insert name of the Responsible Entity or Recipient (if different from the Responsible Entity.].

**Request for Release of Funds**

At least one day after the end of the Comment Period, the [Insert the name of the Responsible Entity.] will [Insert either **one** of two: submit **OR (if applicable)** authorize the [Insert name of the Recipient.] to submit] a request to the North Carolina Department of Environment and Natural Resources, Division of Water Infrastructure (the Division) for the release of funds under Community Block Development Grant for Infrastructure (CDBG-I) funds under Title I of the Housing and Community Development Act of 1974, as amended. Activities being conducted as part of the [Insert project title.] for which the funds are being requested are described below.

[**Briefly** describe the purpose and need, scope of project, estimated funding amount, project location(s), and duration.]

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| --- | --- |
| **Purpose and Need of Project:** | [**Briefly** describe the project’s purpose and need.] |
| **Project Description:** | [**Briefly** describe the project, including location and all components. For water and wastewater lines, include linear length and diameter for all changes in diameter (e.g., 5,400 l.f. of 8-inch pipe, 500 l.f. of 12-inch pipe).] |
| **Estimated CDBG-I Funding Amount:** | [Insert CDBG-I grant amount.] |
| **Other Funding Source(s):** | [Insert all other funding sources utilized.] |
| **Other Funding Amount(s) (if applicable):** | [Insert all other funding amounts as applicable.] |

**Notice and Public Explanation of Proposed Activity in Floodplain/Wetlands**

This is to give notice that the [Insert the name of the Responsible Entity.] has conducted an evaluation as required by [Executive Order 11988 *(if floodplain)* and/or 11990 *(if wetland)* ], in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the Community Block Development Grant for Infrastructure. The proposed project(s) is located [at addresses] in [Name of City], [Name of County]. [Describe the activity, e.g. purpose, type of assistance, the size of the site, proposed number of units, size of footprint, type of floodplain/wetland, natural values]. [State the total number of acres of floodplains/wetland involved].

[Insert the name of the Responsible Entity.] has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: [List (i) ALL of the reasons why the action must take place in a floodplain/wetland, (ii) alternatives considered and reasons for non-selection, (iii) all mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial functions (e.g. floodwater storage and conveyance, groundwater discharge or recharge, erosion control, water quality maintenance, and habitat for flora and fauna) and values (e.g. recreational, educational, scientific, historic, and cultural) of the floodplain/wetland] [Cite the date of any final or conditional LOMR’s or LOMA’s from FEMA where applicable] [Acknowledge compliance with state and local floodplain/wetland protection procedures]

[Insert the name of the Responsible Entity.] has reevaluated the alternatives to building in the [floodplain/wetland] and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of [Executive Order 11988 *(if floodplain)* and/or 11990 *(if wetland)* ], are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice.  First, people who may be affected by activities in [floodplains/wetlands] and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas.  Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about [floodplains/wetlands] can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in [floodplains/wetlands], it must inform those who may be put at greater or continued risk.

**Finding of No Significant Impact**

The [Insert name of the Responsible Entity.] 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 [Insert the name and physical address where the ERR is available for review.] and may be examined or copied weekdays [Insert open time.] A.M. to [Insert close time.] P.M.

**Public Comments**

Any individual, group, or agency may submit written comments on the ERR to [Insert name of the Designated Officer.], the designated officer responsible for receiving and responding to comments. All comments received by [Insert **either one of two**: Date of Notice Publication plus fifteen days **OR** Day of Notice of Posting plus 18 days.] will be considered by [Insert name of the Responsible Entity.] prior to authorizing submission of a request for release of funds. Comments should specify which notice they are addressing.

**Release of Funds**

The [Insert the name of the Responsible Entity.] certifies to the Division that [Insert the name of the Certifying Officer.] in his/her [Select one.] capacity as [Insert the official title of the Certifying Officer.] 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. The Division’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the [Insert the name of the recipient or Responsible Entity (if the same as the recipient).] to use Program funds.

**Objections to Release of Funds**

The Division will accept objections to its release of funds and the Responsible Entity’s certification for a period of 15 days following the anticipated submission date or the actual submission date (whichever is later) only if they are on one of the following bases:

* The certification was not executed by the Certifying Officer of the [Insert the name of the Responsible Entity.];
* The Responsible Entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58;
* 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 the Division; or
* 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

Julie Cubeta, Supervisor

Division of Water Infrastructure

1633 Mail Service Center

Raleigh, NC 27699-1633

or julie.cubeta@ncdenr.gov

Potential objectors should contact the Division at 919.707.9189 to verify the actual last day of the objection period.

[Insert name of Certifying Officer.]

[Insert title of Certifying Officer.]

**This information is available in Spanish or any other language upon request. Please contact [Insert Name] at [Insert Phone Number] or at [Insert physical location] for accommodations for this request.**

**Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con  [Insert Name] al [Insert Phone Number] o en [Insert physical location] de alojamiento para esta solicitud.**

