

**NOTICE TO THE PUBLIC OF INTENT TO REQUEST RELEASE OF FUNDS
ROCHESTER HOUSING AUTHORITY CAPITAL FUND PROGRAM FOR 2010-2011**

Date of Notice: August 6, 2010

The City of Rochester
30 Church Street
Rochester, NY 14614
Telephone Number: 585 428-6150

This notice shall satisfy a procedural requirement for activities to be undertaken by the **Rochester Housing Authority**. The City of Rochester prepared this notice as part of an environmental review being undertaken for, and on behalf of, Rochester Housing Authority, of its 2010-2011 Capital Fund Program.

On or about August 17, 2010 the City of Rochester will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of funds under the National Environmental Policy Act of 1969 and other applicable provisions of law specified in Title 24 CFR Part 58, as the HUD Responsible Entity (RE), and on behalf of the Rochester Housing Authority (RHA).

PROJECT DESCRIPTION

RHA's Comprehensive Fund Program (CFP) for 2010-11 includes general rehabilitation and upgrade of the interior and exterior of existing residential dwelling units and structures, and some office and program space; maintenance and repair of sidewalks, fencing, landscaping and steps; and general operating and other administrative expenses. No activities requiring an environmental assessment will be covered by this review. Projects requiring demolition, major rehabilitation and/or new construction will be referred to the City of Rochester for an environmental assessment when RHA determines the development sites, conducts Phase I ESA studies, and creates a scope of work; their cost is included in the grant amount of \$4.65 million.

The activities proposed and covered by this Notice are categorically excluded under HUD regulations at 24 CFR Part 58.35(a) from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determination for this project is on file at City of Rochester, Bureau of Housing and Project Development, 30 Church Street – Rm. 005-A, Rochester, NY 14614, where the Environmental Review Record can be examined and copied, weekdays 9 A.M. to 4 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Bureau of Housing and Project Development, City of Rochester. All comments received by August 16, 2010 will be considered by the City of Rochester prior to authorizing submission of a Request for Release of Funds.

RELEASE OF FUNDS

The City of Rochester certifies to HUD that Robert J. Duffy 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 Rochester Housing Authority to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the RE'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 Rochester; (b) the City of Rochester 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 has 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 HUD grant administration office at Buffalo Area Office, Lafayette Court, 465 Main Street, Buffalo, New York 14203. Potential objectors should contact HUD to verify the actual last day of the objection period.

Robert J. Duffy, Mayor
City of Rochester