

Sample Notice of Intent to Request a Release of Funds

The sample language below is HUD's recommended wording of the Notice of Intent to Request a Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects [24 CFR Part 58, Section 58.35(a)] or for projects for which a Notice of Finding of No Significant Impact was previously issued. Words in **bold type** are required language. Words in *italics* are to be replaced by language appropriate to the particular project and Responsible Entity. The minimum comment period is seven days following publication or ten days if posting and mailing without publication is used

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

On or about _____ **the** _____ **will**
submit a request to the
for the release of _____ **funds under** _____ **of the**
, to undertake a project known as _____ **for the purpose of**

The activities proposed

An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at

and may be examined or copied weekdays _____ A.M to _____ P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the
All comments received by
will be considered by the
prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The _____ certifies to _____ that _____ in _____ capacity as

_____ 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. _____ approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the _____ to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

_____ will accept objections to its release of fund and the 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 _____; (b) the _____ 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 _____; 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 _____ at _____. Potential objectors should contact _____ to verify the actual last day of the objection period.

Note: The seven or ten-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification [form HUD-7015.15] to HUD/State. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period following submission of the request is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.