**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

**[Insert date of Notice.]**

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

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

**[Insert City, State, and Zip Code.]**

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

On or about [Insert at least one day after the end of the comment period.] the [Insert the name of the Responsible Entity.] will [Choose only one of the two: submit OR authorize to submit the [Insert name of 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 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 [Insert project title.] for which the funds are being requested are described below.

|  |  |
| --- | --- |
| **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.] |

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at [Insert name and physical address where the ERR is available for review.] and may be examined or copied weekdays from [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 Designated Officer.], the [Insert name of Responsible Entity]’s Designated Officer for receiving and responding to comments. All comments received by [Insert one of two: Date of Notice of Publication plus 7 days OR Date of Notice of Posting plus 10 days.] will be considered by the [Insert name of the Responsible Entity.] prior to authorizing submission of a request for release of funds.

**Release of Funds**

The [Insert name of the Responsible Entity.] certifies to the Division that [Insert name of the Certifying Officer.] in his/her [Select one.] capacity as [Insert the 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 [Insert name of 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 its actual receipt of the requires (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 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 fund by the Division; or
* Another Federal agency acting pursuant to 24 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:

Colleen Simmons, Program Manager

Division of Water Infrastructure

North Carolina Department of Environmental Quality

1633 Mail Service Center

Raleigh, NC 27699-1633

or by e-mail at [Colleen.simmons@deq.nc.gov](Colleen.simmons%40deq.nc.gov).

Potential objectors should contact the Division at 704.235.2202 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.**

