

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

May 17, 2024

City of San José
200 E. Santa Clara Street
San José, CA 95113
408-535-5658

On or about May 28, 2024, the City of San José will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) funds under Title I, Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for the following project: Guadalupe Washington Alleyway Lighting Expansion. The purpose of the proposed action is to improve existing lighting infrastructure in the Guadalupe Washington neighborhood by installing four (4) new streetlights in a publicly accessible alleyway located approximately 100 feet west of Almaden Avenue, bordered by West Virginia Street to the north and Oak Street to the South. The lighting will increase safety by improving visibility for alleyway users. The City of San José is requesting the release of \$116,000.

The proposed action is categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with the environmental laws and authorities listed at § 58.5 of 24 CFR Part 58. The project is located within the 100-year floodplain. HUD policy provides that projects located within the 100-year floodplain are subject to an eight-step decision making process set forth in 24 CFR Part 55.20. The eight-step process was completed for the proposed action. The findings determined potential river or stream flooding onto local roadways can cause erosion of the surface around streetlight supports, resulting in instability and the potential for the streetlights to fall over. High wind pressures and impact forces from windborne debris can cause breakage or blow-off light pole components that can potentially injure people or cause damage to structures in the local area. Therefore, as part of the project, the supports for the streetlights will be reinforced to increase their resistance to erosion and wind forces. To reinforce the streetlight supports, the pole will be bolted down and anchored to a reinforced concrete foundation. The proposed action complies with all other applicable environmental laws and authorities listed at § 58.5 of 24 CFR Part 58.

An Environmental Review Record (ERR) that documents the environmental determinations for this project and more fully describes the eight-step process cited above, is on file at City of San José, Department of Planning, Building and Code Enforcement, T-3, 200 E. Santa Clara Street, San José, CA 95113 and may be examined or copied weekdays 8 a.m. to 5 p.m.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Charlotte Yuen, City of San José, Department of Planning, Building and Code Enforcement, T-3, 200 E. Santa Clara Street, San José, CA 95113, or via email at charlotte.yuen@sanjoseca.gov. All comments received by **May 27, 2024** will be considered by the City of San José prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of San José certifies to HUD that Christopher Burton in his capacity as Director of Planning, Building and Code Enforcement for the City of San José 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 the name of grant recipient to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of San José 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 San José; (b) the City of San José 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 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, Sec. 58.76) to rofsfro@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.