

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

January 11, 2023

City of San José
200 E. Santa Clara Street
San José, CA 95113
408-535-6872

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of San José related to the Tamien Station Transit-Oriental Development Project (City of San José Planning File Nos. PDC18-025, PD20-003, and ER21-031).

REQUEST FOR RELEASE OF FUNDS

On or about February 1, 2023, the City of San José will submit a request to HUD for the release of funds under Section 8 of the Housing Act of 1937, as amended, to undertake the project described below.

The Tamien Station Transit-Oriented Development Project will develop 569 multi-family residential units (including 434 market rate and 135 affordable units) in three buildings (Market Rate I, Market Rate II, and Affordable Housing) and a 3,000 square-foot childcare center at 1197 Lick Avenue, midway between West Alma Avenue and Goodyear Street, between the Tamien Valley Transportation Authority (VTA) Light Rail Transit (LRT)/Caltrain Transit Station and Lick Avenue, in central San José. The project will be developed in partnership with the Santa Clara Valley Transportation Authority.

The Market Rate I building would contain 219 units consisting of 81 studio apartments, 103 one-bedroom units, and 35 two-bedroom units. The Market Rate II building would contain 215 units consisting of 73 studio apartments, 107 one-bedroom units, and 35 two-bedroom units. The Affordable Housing building would contain 135 units consisting of 20 studio units, 44 one-bedroom units, 37 two-bedroom units, and 34 three-bedroom units.

The total estimated project cost is \$137,404,869. The Santa Clara County Housing Authority (SCCHA) will be providing assistance to the project in the form of 33 Section 8 PBVs for 12 one-bedroom, 11 two-bedroom, and 10 three-bedroom apartment units in the Affordable Housing building as authorized under Section 8 of the Housing Act of 1937, as amended. The estimated total funding for rental subsidy is approximately \$28,175,520 (\$331,164 annually) for the initial 20-year

term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government.

FINDING OF NO SIGNIFICANT IMPACT

The City of San José 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) available online at www.sanjoseca.gov/NEPAREviewDocuments. To review hard copies of the documents, please contact Reema Mahamood at reema.mahamood@sanjoseca.gov or at 408-535-6872.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Reema Mahamood, 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 reema.mahamood@sanjoseca.gov. All comments received by **5:00 p.m. January 30, 2023** will be considered by the City of San José prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

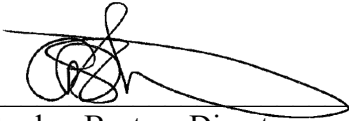
ENVIRONMENTAL CERTIFICATION

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 fund 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) and shall be addressed to Department of Housing and Urban Development, Office of Public Housing, and sent to

the following email address: RROFSFRO@hud.gov and todd.r.greene@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.



Christopher Burton, Director
Planning, Building and Code Enforcement
City of San José

January 11, 2023

Date