

**MITIGATED COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT  
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
STATE OF VERMONT**

November 27, 2020

David Allaire, Mayor  
City of Rutland  
52 Washington Street  
Rutland, VT 05701  
Phone: 802-773-1800

Vermont Agency of Commerce and Community Development  
Josh Hanford, Commissioner, VT Department of Housing and Community Development  
One National Life Drive, Davis Building, 6<sup>th</sup> Floor  
Montpelier, VT 05620  
802-828-1357

The purpose of this notice is to satisfy two separate but related procedural requirements for activities to be undertaken by the City of Rutland and the State of Vermont Agency of Commerce and Community Development (Agency).

**Request for Release of Funds**

On or about December 13, 2020, the City of Rutland will submit a request to the Agency to release funds under Title I of the Housing and Community Development Act of 1974 (PL93-383), the National Affordable Housing Act as amended; and the Agency will submit a request to HUD to release HOME Investment Partnership Program funds under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, to undertake a project known as the Lincoln Place located at 10 Lincoln Avenue, Rutland, VT 05701. The proposed project includes a conversion of a former school building to provide permanent supportive housing at the former Immaculate Heart of Mary school. The building would be comprised of 19 units (10 micro and 9 one bedroom apartments) providing affordable housing and permanent housing. There will be onsite laundry and community gathering space, as well as an office and meeting space for service providers on site. The building was originally constructed in 1957 as a K-8 Catholic school. The 18,000 square foot building operated until the mid-1970s, and most recently served the community as a privately run preschool until 2018. Housing Trust of Rutland County is teaming up with Rutland Mental Health to make case management services as well as clinical and substance abuse treatment services available to residents as part of the permanent supportive housing model. The Homeless Prevention Center will participate through referrals and program design.

The estimated total cost of the project is approximately \$6,550,648 including anticipated amounts of approximately \$498,000 in CDBG Funds, approximately \$495,000 in HOME funds, and \$631,348 in National Housing Trust Funds. In addition, 19 project based vouchers are anticipated.

Mitigating factors include the following: A Memorandum of Agreement between the Agency, State Historic Preservation Office and the City of Rutland has been issued which states that in lieu

of the Section 106 review process, the Part 2 Historic Preservation Certification Application, approved and signed by the National Park Service shall serve as evidence of compliance with the Secretary's Standards. Asbestos containing materials and lead based paint exist and will be abated where required by a qualified and licensed contractor. Further, installation of a passive radon mitigation system will be completed during renovations and will be activated is post-construction radon testing results exceed 4.0 picocuries/liter. Since the proposed project will pursue HTF funds all the plumbing will be replaced.

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### **Finding of No Significant Impact**

The City of Rutland and the Agency have 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, which will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to Attn: Mr. David Allaire, City of Rutland, 52 Washington Street, Rutland, VT 05701 or via email at [mayorallaire@rutlandcity.org](mailto:mayorallaire@rutlandcity.org) or by U.S. mail to Environmental Officer, Department of Housing and Community Development, National Life Building, One National Life Drive, Davis Building 6<sup>th</sup> floor, Montpelier, Vermont 05620 or via email at [James.Brady@vermont.gov](mailto:James.Brady@vermont.gov).

### **Public Comments**

Any individual, group, or agency may submit written comments on the ERR to the City of Rutland regarding the use of CDBG funds, attn. Mr. David Allaire, Mayor, City of Rutland, 52 Washington Street, Rutland, VT 05701 via email at [mayorallaire@rutlandcity.org](mailto:mayorallaire@rutlandcity.org), or to the Agency for the use of HOME funds, Attn: Environmental Officer, Department of Housing and Community Development, National Life Building, One National Life Drive, Davis Building 6<sup>th</sup> floor, Montpelier, Vermont 05620, or via email at [James.Brady@vermont.gov](mailto:James.Brady@vermont.gov). All comments received by December 12, 2020 will be considered by the City of Rutland and the Agency prior to authorizing the submission of a request for release of funds. Comments must specify which Notice they are addressing—the Finding of No Significant Impact or the Request for the Release of Funds.

### **Environmental Certification**

The City of Rutland is certifying to the Agency that the City of Rutland and David Allaire, in his official capacity as Mayor, and the Agency is certifying to HUD that the Agency and Josh Hanford, in his official capacity as Commissioner of the VT Department of Housing and Community Development, consent 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 Agency's/HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities and allows the City of Rutland to use CDBG funds and the Agency to use the HOME funds.

## **Objections to Release of Funds**

The Agency will accept objections to its approval of the release of funds and acceptance of the City of Rutland's certification, and HUD will accept objections to its approval of the release of funds and the State'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 Officers Brannon Godfrey/ Josh Hanford; (b) the City/Agency 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 the Agency/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 via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Environmental Officer at ACCD [James.Brady@vermont.gov](mailto:James.Brady@vermont.gov) for the CDBG funds, or to the HUD Director of Community Planning and Development [Robert.D.Shumeyko@hud.gov](mailto:Robert.D.Shumeyko@hud.gov) for the HOME funds. Potential objectors should contact the Agency/HUD via email to verify the last day of the objection period.