

# Authority to Use Grant Funds

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

<b>To:</b> (name & address of Grant Recipient & name & title of Chief Executive Officer) Chris Owens, SPHR, Federal Compliance Officer City of Minot P.O. Box 5006 Minot, ND 58702-5006	<b>Copy To:</b> (name & address of SubRecipient)
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We received your Request for Release of Funds and Certification, form HUD-7015.15 on	January 28, 2019
Your Request was for HUD/State Identification Number	B-13-MS-38-0002

All objections, if received, have been considered. And the minimum waiting period has transpired. You are hereby authorized to use funds provided to you under the above HUD/State Identification Number. File this form for proper record keeping, audit, and inspection purposes.


### Downtown Gathering Place Project

The proposed Downtown Gathering Place will involve the voluntarily acquisition of the following nine contiguous parcels:

Parcel Number	Address
MI24.238.010.0082	13 1st Street SE
MI37.540.000.0040	Unassigned
MI24.238.010.0121	105 1st Ave. SE
MI24.102.230.0064	107 1st Ave. SE
MI24.102.230.0063	109 1st Ave. SE
MI24.102.230.0062	115 1st Ave. SE
MI24.788.010.0000	110 E. Central Ave.
MI24.102.300.0070	Unassigned
MI24.238.010.0070	11 1st St. SE

Once acquired all existing structures would be removed and the parcels, as well as 0.08 acres of the 2nd Street SE public right-of-way (ROW), will be converted to a public park. The park will be predominately open space and may include the following: a water feature, such as a fountain or wading area, a walking trail, a stage/performance area, an area for temporary installation of canopies (for markets and festivals), an ice-skating rink, a permanently covered shelter, tables for chess and checkers, a story-telling area for children, landscaping and benches. The project site is approximately 2.28 acres.

Estimated HUD Funding: \$6,000,000  
Total Project Cost: \$6,000,000

Typed Name of Authorizing Officer Aaron B. Gagné Title of Authorizing Officer Director Office of CPD Denver	Signature of Authorizing Officer 	Date (mm/dd/yyyy) 2/19/2019
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# Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

OMB No. 2506-0087  
(exp. 03/31/2020)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

## Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant-National Disaster Resilience (CDBG-NDR)	2. HUD/State Identification Number B-13-MS-38-0002	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14.218	5. Name and address of responsible entity City of Minot PO Box 5006 Minot, North Dakota 58702-5006	
6. For information about this request, contact (name & phone number) Chris Owen, SPHR, Federal Compliance Officer, City of Minot, North Dakota, 701.857.1553		
8. HUD or State Agency and office unit to receive request HUD Region VIII Office, 1670 Broadway, Denver, Colorado 80202-4801	7. Name and address of recipient (if different than responsible entity)	

**The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following**

9. Program Activity(ies)/Project Name(s) City of Minot CDBG-NDR Program: Downtown Gathering Place Project	10. Location (Street address, city, county, State) City of Minot, Ward County, North Dakota
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### 11. Program Activity/Project Description

The proposed Downtown Gathering Place would involve the voluntary acquisition of the following nine contiguous parcels:

Parcel Number	Address
MI24.238.010.0082	13 1st Street SE
MI37.540.000.0040	Unassigned
MI24.238.010.0121	105 1st Avenue SE
MI24.102.230.0064	107 1st Avenue SE
MI24.102.230.0063	109 1st Avenue SE
MI24.102.230.0062	115 1st Avenue SE
MI24.788.010.0000	110 E. Central Avenue
MI24.102.300.0070	Unassigned
MI24.238.010.0070	11 1st Street SE

Once acquired, all existing structures would be removed, and the parcels, as well as nearly 0.08 acres of the 2nd Street SE public ROW, would be converted to a public park. The park would be predominantly open space and may include the following: a water feature such as a fountain or wading area, a walking trail, a stage/performance area, an area for temporary installation of canopies (for markets and art festivals), an ice-skating rink, a permanent covered shelter, tables for chess and checkers, a storytelling area for children, landscaping and benches. Collectively, the project site would be approximately 2.28 acres.

The total project cost is \$6,000,000 with CDBG-NDR funds totaling the full amount.

**Part 2. Environmental Certification (to be completed by responsible entity)**

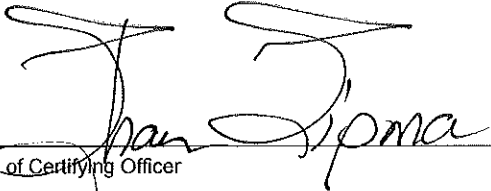
With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did  did not  require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity



X  
Address of Certifying Officer

Title of Certifying Officer

Mayor, City of Minot

Date signed

1/25/2019

City of Minot P.O. Box 5006, Minot, North Dakota, 58702-5006

**Part 3. To be completed when the Recipient is not the Responsible Entity**

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

**Combined Public Notice  
Notice of Finding of No  
Significant Impact and  
Notice of Intent to Request  
Release of Funds**

January 9, 2019  
City of Minot, North Dakota  
P.O. Box 5006  
Minot, North Dakota, 58702-5006  
701-857-1553

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Minot.

**REQUEST FOR THE RELEASE  
OF FUNDS**

On or about January 25, 2019, the City of Minot will submit a request to the U.S. Department of Housing and Urban Development (HUD) Region VIII for the release of Community Development Block Grant National Disaster Resilience (CDBG-NDR) funds, under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as City of Minot CDBG-NDR Program: Downtown Gathering Place Project, for the purpose of voluntarily acquiring nine contiguous parcels, as well as a portion of the 2nd Street SE right-of-way (ROW), clearing all structures and converting the site to a public park. The total allocation will be \$6,000,000, with CDBG-NDR funds providing the entire amount. The proposed Downtown Gathering Place would involve the voluntary acquisition of the following nine contiguous parcels:

Parcel Number	Address
1	M124.238.010.0082 13 1st Street SE
2	M137.540.000.0040 Unassigned
3	M124.238.010.0121 105 1st Avenue SE
4	M124.102.230.0064 107 1st Avenue SE
5	M124.102.230.0063 109 1st Avenue SE
6	M124.102.230.0062 115 1st Avenue SE
7	M124.788.010.0000 110 E. Central Avenue
8	M124.102.300.0070 Unassigned
9	M124.238.010.0070 11 1st Street SE

Once acquired, all existing structures would be removed, and the parcels, as well as nearly 0.08 acres of the 2nd Street SE public ROW, would be converted to a public park. The park would be predominantly open space and may include the fol-

lowing: a water feature such as a fountain or wading area, a walking trail, a stage/performance area, an area for temporary installation of canopies (for markets and art festivals), an ice-skating rink, a permanent covered shelter, tables for chess and checkers, a storytelling area for children, landscaping and benches. Collectively, the project site would be approximately 2.28 acres.

**FINDING OF NO SIGNIFICANT  
IMPACT**

The City of Minot 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) on file at the City of Minot, 515 2nd Avenue SW, Minot, North Dakota, 58702-5006, and may be examined or copied weekdays 9:00 A.M. to 5:00 P.M.

**PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the City of Minot, P.O. Box 5006, Minot, North Dakota, 58702-5006. All comments received by January 25, 2019 will be considered by the City of Minot prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

**ENVIRONMENTAL  
CERTIFICATION**

The City of Minot certifies to HUD Region VIII that Mr. Shaun Sipma in his capacity as Mayor 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 Region VIII's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Minot to use Program funds.

**OBJECTIONS TO RELEASE OF  
FUNDS**

HUD Region VIII will accept objections to its release of funds and the City of Minot's certification for a period of 15 days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Minot; (b) the City of Minot 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 the approval of a release of funds by HUD Region VIII; 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 U.S. Depart-

ment of Housing and Urban Development, Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801. Potential objectors should contact HUD to verify the actual last day of the objection period.

Mr. Shaun Sipma, Mayor, City of  
Minot  
(January 9, 2019)

**Combined Public Notice  
 Notice of Finding of No Significant Impact and  
 Notice of Intent to Request Release of Funds**

January 9, 2019

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 P.O. Box 5006  
 Minot, North Dakota, 58702-5006  
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