

# U. S. Department of Housing and Urban Development



## Community Planning and Development

Region VIII, Denver  
1670 Broadway Street  
Denver, Colorado 80202-4801

Phone: 303-672-5414  
Fax: 303-672-5028  
Web: www.hud.gov

August 12, 2015

Honorable Chuck Barney, Mayor  
City of Minot  
Office of the Mayor  
P.O. Box 5006  
Minot, ND 58702-5006

City of Minot CDBG-DR Program: Sunset Ridge Apartments Project (Development of Seventy-Four Affordable Multifamily Housing Units), East of Kodiak Street NW, between 35<sup>th</sup> Avenue NW and 36<sup>th</sup> Avenue NW, Minot, ND  
CDBG-DR Program, Grant #B-12-MT-38-0001  
Environmental Clearance to Release Funds

Dear Honorable Barney:

We have received form HUD 7015.15, "*Request for Release of Funds and Certification*", as well as evidence of the publication of the public notice, "*Combined Public Notice....Release of Funds*", for the subject project/activity. All objections, if received, have been considered and the minimum waiting period for public comment has transpired. You are hereby authorized, effective August 12, 2015, to use funds provided to you under the above HUD Identification Number subject to all terms and conditions of the grant agreement that may be executed for this project/activity. This determination applies only to the project/activity identified above. Any other projects/activities under this grant that may require a Release of Funds must have a separate written release.

Please file this letter for proper record keeping, audit, and inspection purposes. Please ensure any required environmental mitigation is adequately incorporated into all pertinent agreements, for proper implementation. Please inform the recipients that they are agreeing to abide by the special conditions, procedures, and requirements of an environmental review and are to advise the responsible entity of any proposed changes in the scope of the projects or any changes in environmental conditions in accordance with 24 C.F.R. Part 58.71(b).

If we may be of further assistance regarding environmental clearance concerns, please contact David Rigiroszi, Field Environmental Officer, at 303.672.5016.

Sincerely,

A handwritten signature in blue ink that reads "Renee Ryles".

Renee Ryles  
Acting Director

Cc: City of Minot  
Attn: Ms. Cindy Hemphill, CPA, MSM, Finance Director  
P.O. Box 5006  
Minot, ND 58702-5006

CDM Smith  
Attn: Ms. Rebecca Jablon  
3201 Jermantown Road, Suite 400  
Fairfax, VA 22030

Ware  
Atencio  
Rigirozzi

ORIGIN:DNMOTA (701) 837-5813  
LORI WILLIAMS  
CDM SMITH  
1600 2ND AVE SW #27  
MINOT, ND 58701  
UNITED STATES US

SHIP DATE: 27 JUL 15  
ACT WGT: 1.00 LB  
CAD: 104195129/NET3670  
BILL SENDER

TO DAVID W. RIGIROZZI  
HUD, REGION VIII OFFICE  
1670 BROADWAY ST  
25TH FLOOR, 8ADE  
DENVER CO 80202  
REF: (701) 837-5813  
INV: PO: DEPT:

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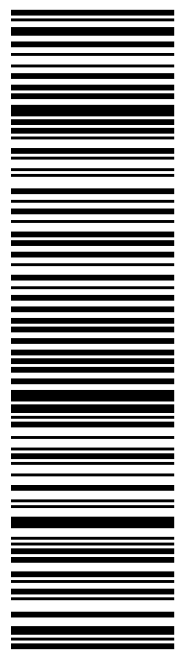


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STANDARD OVERNIGHT

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**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

PUBLIC NOTICES

Contract No. 5  
Mechanical Construction  
The awarded to the lowest responsible bidder of Work generally

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

July 10, 2015  
City of Minot, North Dakota  
P.O. Box 5006  
Minot, North Dakota,  
58702-5006  
701-857-4784

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 July 26, 2015, the City of Minot will submit a request to the U.S. Department of Housing and Urban Development (HUD) Region VIII Office for the release of 2011 Community Development Block Grant Disaster Recovery and (CDBG-DR) funds, under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as Sunset Ridge Apartments Project, for the purpose of acquiring land and constructing 74 affordable rental units, divided into two and three-story buildings, for a total allocation of \$16,865,000, with CDBG-DR funds totaling \$115,000.

This project would entail land acquisition of a 6.74-acre vacant site, and construction of three three-story buildings. The proposed site is located to the east of Kodiak Street NW, between 36th Avenue NW and the 35th Avenue NW, and the addresses associated with the two buildings would be 3524 Kodiak Street NW and 1400 35th Avenue NW. The proposed residential buildings would consist of 35 and 39 one-, two- and three-bedroom rental units, respectively. Detached garages for both buildings would also be constructed. Existing utilities on 35th and 36th Avenues NW, and utilities to be installed along Kodiak Street NW, will be extended to the proposed project site. These units are to be affordable for low- and moderate-income households.

FINDING OF NO SIGNIFICANT IMPACT

The City of Minot has determined that the project will have no significant impact on the human environment. An Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA), therefore, 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 disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Minot, P.O. Box 5006, Minot, North Dakota, 58702-5006. All comments received by July 25, 2015 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.

RELEASE OF FUNDS

The City of Minot certifies to HUD Region VIII that Mr. Chuck Barney 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 THE RELEASE OF FUNDS

HUD Region VIII will consider

benefit of the 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 U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs 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 of 24 CFR Part 58 and shall be addressed to U.S. Department of Housing and Urban Development Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801. Potential objectors should contact the HUD Region VIII office to verify the actual last day of the objection period.

Mr. Chuck Barney, Mayor, City of Minot (July 10, 2015)

NOTICE OF BOND SALE

\$600,000  
SURREY PUBLIC SCHOOL

PETITION

NOTICE IS THAT Jamie filed a Petition Court in Minot, North Dakota requested an court changing from Kasha known as Jamie Lee Kashe to the Court not less than 10 days after publication of this Petition. Dated this 7th day of July 2015.  
s/ Jamie Lee Kashe  
Jamie Lee Kashe  
(July 10, 2015)

SEC ADVERTIS

CITY OF MINOT

Sealed bids for the City of Minot, North Dakota, Office of the City Clerk, 58701, until 3:00 p.m., July 31, 2015, will be read aloud and skill construction of and incident said City more fully forth in the conditions thereof on file in the City Clerk's Office. Bids shall be opened at 10:00 a.m. on the day of the opening. Objections must be prepared and submitted in accordance with the required procedures of 24 CFR Part 58 and shall be addressed to U.S. Department of Housing and Urban Development Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801. Potential objectors should contact the HUD Region VIII office to verify the actual last day of the objection period.

Asphalt pavement report on Chip and Seal streets.

The contract file and map are available for viewing at the following:

KLJ  
2900 10th St  
Minot, North Dakota

Complete documents at www.kljeng.com. Bid or You may

# 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. 07/31/2017)

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-Disaster Recovery (CDBG-DR)	2. HUD/State Identification Number B-12-MT-38-0001	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) Cindy Hemphill, CPA, MSM, Finance Director, City of Minot, North Dakota, 701-857-4784	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request HUD Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801		

**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-DR Program: Sunset Ridge Apartments Project	10. Location (Street address, city, county, State) East of Kodiak Street NW, between 35th Avenue NW and 36th Avenue NW, Minot, ND
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### 11. Program Activity/Project Description

The City of Minot, North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) Program for 2011 Disasters. In June 2011, the City of Minot suffered substantial real estate and public infrastructure damage due to flood waters from the Mouse River (Souris River). This flood damage created severe hardships for many residents throughout the City. Due to the extensive displacement of residents as a result of the flood, and Minot's growing economy, affordable housing opportunities are limited. The purpose of the project is to acquire land and construct affordable housing options, with an emphasis on low- and moderate-income (LMI) housing, for the residents on the rapidly developing northwest side of Minot.

The proposed Sunset Ridge Apartments Project would entail land acquisition of a 6.74-acre vacant site and construction of two three-story buildings. The proposed site is located to the east of Kodiak Street NW, between 36th Avenue NW and 35th Avenue NW, and the addresses associated with the two buildings would be 3524 Kodiak Street NW and 1400 35th Avenue NW. The proposed residential buildings would consist of 35 and 39 one-, two- and three-bedroom rental units, respectively. Detached garages for both buildings would also be constructed. Existing utilities on 35th and 36th Avenues NW, and utilities to be installed along Kodiak Street NW, will be extended to the proposed project site.

These units are to be affordable for low and moderate-income households.

The proposed project would involve City of Minot CDBG-DR funds and North Dakota CDBG-DR funds, as well as other City and private funding.

Total project cost is \$16,865,000, with \$115,000 to be funded using CDBG-DR funds.

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

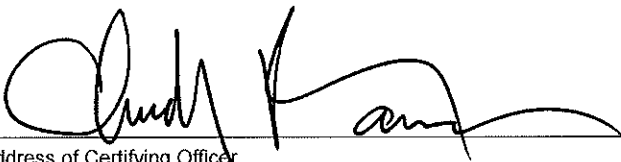
With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

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 

Title of Certifying Officer

Mayor, City of Minot

Date signed

7/27/2015

Address of Certifying Officer

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

X

Title of Authorized Officer

Date signed

**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)