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**LEGAL NOTICE**  
**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

January 28, 2021

Newton Housing and Community Development Program  
1000 Commonwealth Avenue  
Newton, MA 02459-1449  
(617) 796-1120

**NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS**

On or about February 8, 2021, the Newton Housing and Community Development Program 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 the Housing and Community Development Act of 1974, as amended, to undertake the project known as:

Project Title:	Phase I of the Marty Sender Pathway Installation
For the Purpose Of:	Partial reconstruction of Marty Sender Trail. The installation of a firm and stable surface will create an accessible route while maintaining the natural appearance and character of the trail.
Location:	Auburndale Park, West Pine St. Newton, MA 02466
Estimated CDBG Funding:	\$52,000.00
Estimated non-HUD Funding:	\$0

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at the Newton Housing and Community Development Program, Planning and Development Department, 1000 Commonwealth Avenue, Newton, MA 02459-1449 and may be examined or copied weekdays from 8:30 a.m. to 5:00 p.m. For an electronic copy of the ERR, please contact Shaylyn Davis at [sdavis@newtonma.gov](mailto:sdavis@newtonma.gov).

**PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Newton Housing and Community Development Program, 1000 Commonwealth Avenue, Newton, MA 02459-1449. All comments received by February 7, 2021 will be considered by the Newton Housing and Community Development Program prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Comments should be directed to:

Shaylyn Davis, Community Development Planner

Newton Housing and Community Development Program  
1000 Commonwealth Avenue  
Newton, MA 02459-1449  
Email: sdavis@newtonma.gov

### **RELEASE OF FUNDS**

The City of Newton certifies to HUD that Barney Heath, in his capacity Director of the Department of Planning and Development, 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 Newton Housing and Community Development Program to use Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the City of Newton'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 Officer of the City of Newton, MA; (b) the City of Newton 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 Director, Office of Community Planning and Development, HUD, at CPD\_COVID-19OEE-BOS@hud.gov.. Potential objectors should contact HUD to verify the actual last day of the objection period.

Shaylyn Davis  
Community Development Planner