

## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

September 3, 2021

Wisconsin Department of Health Services  
1 West Wilson Street, Room 137  
Madison, WI 53703-3445

Program Manager Kristi Tennie 608-692-8954

On or about September 11, 2021, the Wisconsin Department of Health Services will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of the Lead-Based Paint Hazard Control Grant Program (LBPHC) and Healthy Homes Supplemental funds to undertake a multi-year project known as the Lead Hazard Control Grant Program, for the purpose of identifying and controlling lead-based paint hazards in eligible privately-owned rental and owner-occupied housing in Wisconsin. The Wisconsin Department of Health Services will request the release of \$3,400,000 in Federal assistance and \$454,175 of State match. The LBPHC is authorized under Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992), 42 U.S.C. 4852, and funding is provided by the Further Consolidated Appropriations Act, 2020, Public Law 116-94, and the Consolidated Appropriations Act, 2019, Public Law 116-6. The Healthy Homes Supplemental funding is authorized under Sections 501 and 502 of the Housing and Urban Development Act of 1970, 12 U.S.C. 1701z-2, with funding approved by appropriations acts identified above.

To administer the program, the Wisconsin Department of Health Services will work in conjunction with the Social Development Commission (SDC), the Southwestern Wisconsin Community Action Program (SWCAP), and the Winnebago County Health Department. SWCAP will enroll properties in the following counties: Crawford, Grant, Iowa, Lafayette, Richland, and Vernon. The Winnebago County Health Department will work with the City of Oshkosh to enroll properties in the City of Oshkosh and Winnebago County. The SDC will enroll properties in Waukesha and Milwaukee counties, outside of the City of Milwaukee.

The proposed hazard control activities to be funded under this/these program(s) is/are categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at § 58.5 of 24 CFR Part 58. In accordance with §58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target area(s) listed above. Other applicable environmental laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target areas have been studied and compliance with the following laws and authorities has been achieved in this Tier 1 review: air quality, coastal barrier resources, environmental justice, explosive and flammable facilities, farmlands protection, sole source aquifers, wetlands protection, and wild and scenic rivers. Site-specific environmental reviews will include compliance with the following environmental laws and authorities for proposed projects funded under the program(s) listed above: airport hazards, coastal zone management, endangered species, flood insurance, floodplain management, historic preservation, noise abatement and control, and site contamination and toxic substances. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at §58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant

Impact and Request for Release of Funds published. Copies of the compliance documentation worksheets are available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at the Wisconsin Department of Health Services Lead and Asbestos Section, 1 West Wilson Street, Room 137, Madison, Wisconsin 53703 and may be examined or copied weekdays 8:00 a.m. to 3:00 p.m. Please contact Program Manager Kristi Tennie at 608-692-8954.

## PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Wisconsin Department of Health Services Lead and Asbestos Section, 1 West Wilson Street, Room 137, Madison, Wisconsin 53703. All comments received by September 10, 2021, will be considered by the Wisconsin Department of Health Services prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

## ENVIRONMENTAL CERTIFICATION

The Wisconsin Department of Health Services certifies to HUD that Julie Willems Van Dijk in her official capacity as Deputy Secretary, 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 the National Environmental Policy Act and related laws and authorities, and allows the Wisconsin Department of Health Services to utilize federal funds and implement the Program.

## OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the Wisconsin Department of Health Services certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the Wisconsin Department of Health Services; (b) the Wisconsin Department of Health Services 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 may be addressed to HUD and sent to the email address as follows: Karen M. Griego, Office of Lead Hazard Control and Healthy Homes, Program Environmental Clearance Officer, U.S. Department of Housing and Urban Development [LeadRegulations@HUD.GOV](mailto:LeadRegulations@HUD.GOV) Potential objectors may contact HUD directly to verify the actual last day of the objection/comment period.

Wisconsin Department of Health Services  
Lead Hazard Control and Health Homes Grant  
Julie Willems Van Dijk

Deputy Secretary