

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

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

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North Carolina Office of Recovery and Resiliency
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Durham, NC 27709
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These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the North Carolina Department of Public Safety, Office of Recovery and Resiliency (NCORR), Public Housing Restoration Fund Program.

REQUEST FOR RELEASE OF FUNDS

On or after July 19, 2021, NCORR will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383), to undertake the following project:

Project Title: Housing Authority of the City of Lumberton (HACL) Hilton Heights-Myers Park Replacement Housing

Purpose: The proposed project consists of the development of 72 residential rental units, intended to replace the low-income housing units known as Hilton Heights and Myers Park, which were flooded in October 2016, during Hurricane Matthew. Flood damage to the housing units at Hilton Heights and Myers Park made the units un-livable and residents were relocated.

Plans for the flood-damaged properties are not finalized, but all 30 housing units at Myers Park and 42 units at Hilton Heights are currently anticipated to be demolished and cleared with FEMA funding and proceeds from insurance. At Hilton Heights, the Maintenance Building will be left intact to be used for storage, which was identified as the only possible use for this building by the HACL. Any changes to the proposed scope of work will require approval from HUD and resubmission to NCORR for environmental review.

Location: The proposed development is an approximately 31-acre portion of one parcel located along the northern side of Caton Road, approximately 500 feet northwest of its intersection with Glen Cowan Road, in Lumberton, Robeson County, North Carolina (34.63247, -79.065994). The parent parcel is further identified by Robeson County Property Identification Number 938201325479. The proposed site is less than 3 miles west-northwest of the original sites.

Project Description: The proposed project will involve the construction of 72 residential rental units which are intended to provide low-income housing to replace the 72 units at Hilton Heights and Myers Park which were left uninhabitable by the effects of Hurricane Matthew in October 2016. The project will also involve construction of the associated required stormwater facilities, parking, and onsite utilities.

Project Issues: There are no outstanding project issues requiring mitigation, consultation, permits or conditions.

Mitigation Measures/Conditions/Permits (if any): There are no mitigation measures, conditions on project or required permits related to project issues.

Estimated Project Cost: The project is estimated to cost \$12,755,463, and HUD CDBG-DR funding would comprise \$5,931,531 of that total.

FINDING OF NO SIGNIFICANT IMPACT

NCORR 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). The ERR 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: **NCORR, P.O. Box 110465, Durham, NC 27709, Attention: Stephanie Richardson, NCORR Environmental Manager** or by email to CDBGDR.Environment@ncdps.gov, per the *Consultation, Review and Comment on the Environmental Review Record in Response to COVID-19*, dated March 2020. (<https://www.hudexchange.info/resource/6094/consultation-review-and-comment-on-the-environmental-review-record-in-response-to-covid19/>) The ERR can be accessed online at the following website: <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to **P.O. Box 110465, Durham, NC 27709**. Comments should specify which Notice they are addressing. NCORR encourages electronic submittal of comments to CDBGDR.Environment@ncdps.gov with “**Attention: Comments: Proposed Hilton Heights-Myers Park Replacement Project**” in the subject line. Further information on the program can be found at the program website <https://rebuild.nc.gov/>. All comments received by **July 18, 2021** will be considered by NCORR prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

NCORR certifies to HUD that Laura Hogshead, Certifying Officer, in her capacity as Chief Operating Officer 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 NCORR to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and NCORR'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 NCORR; (b) NCORR 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 Tennille Smith Parker, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, HUD, 451 7th Street SW, Room 7272, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Laura Hogshead, Chief Operating Officer, NC Office of Recovery and Resiliency, Certifying Officer

Note: The fifteen or eighteen-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to HUD/State. The Responsible Entity may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, "Time delays for exceptional circumstances," a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.