



North Carolina Department of Public Safety

Office of Recovery and Resiliency

Roy Cooper, Governor
Eddie M. Buffaloe, Jr., Secretary

Laura H. Hogshead, Director

PUBLIC NOTICE

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF)

**THE RESIDENCE AT CANOPY POINTE
205, 209, 213 & 217 MIDDLE SOUND LOOP ROAD, WILMINGTON, NEW HANOVER
COUNTY, NORTH CAROLINA 28411**

June 13, 2022

Name of Responsible Entity and Recipient: North Carolina Office of Recovery and Resiliency (NCORR), P.O. Box 110465, Durham, NC 27709. Contact: Director Laura Hogshead (984) 833-5350.

Pursuant to 24 CFR Section 58.43, this combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOI-RROF) satisfies two separate procedural requirements for project activities proposed to be undertaken by NCORR.

Project Description: NCORR is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program in North Carolina. NCORR proposes to provide CDBG-DR funding of \$2,500,000.00 for The Residence at Canopy Pointe project (“Proposed Project”), located at 205, 209, 213 & 217 Middle Sound Loop Road, Wilmington, New Hanover County, NC 28411. The Proposed Project is anticipated to have a total cost of \$12,579,139.00. The Proposed Project will involve new construction of an affordable senior living facility which will consist of a single, approximately 80,920-square foot, three-story building with 72 dwelling units, associated offices, dining, and recreational areas, as well as infrastructure, such as a stormwater retention pond, paved parking, and landscaped areas. The Proposed Project will provide an opportunity to address the shortage in affordable senior living housing inventory exacerbated by the effects of the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018).

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for the Proposed Project has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review

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regulations at 24 CFR Part 58. The EA is incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Project is anticipated. NCORR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. NCORR has determined that the Proposed Project will have no significant impact on the human environment and therefore does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the EA is available online at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>. Documents may be viewed in person by appointment only at: NCORR, 200 Park Offices Drive, Durham, NC 27713; call (984) 833-5350 to make an appointment.

Further information may be requested by writing to the above address, emailing publiccomments@rebuild.nc.gov or by calling (984) 833-5350. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and to the HUD Field Office, and is being publicly posted in the affected community.

Public Comments on the FONSI and/or NOIRROF: Any individual, group or agency may submit written comments on the Proposed Project. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before July 1, 2022, at publiccomments@rebuild.nc.gov. Written comments may also be submitted by mail, in the proper format, to be received on or before July 1, 2022, and addressed to: NCORR – Public Comments, P.O. Box 110465, Durham, NC 27709. All comments must be received on or before July 1, 2022 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the expenditure of funds.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or after July 5, 2022, the NCORR Certifying Officer will submit a request and certification to HUD for the release of CDBG-DR funds as authorized by related laws and policies for the purpose of implementing this part of the North Carolina CDBG-DR program.

NCORR certifies to HUD that Laura Hogshead, in her capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. 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 CDBG-DR program funds.

Objection 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). Potential objectors may contact HUD or the NCORR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) Certification was not executed by NCORR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the responsible entity has committed funds or incurred costs not authorized by 24 CFR Part 58 before release of funds and approval of environmental certification; 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) and shall be addressed to Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649, or emailed to disaster_recovery@hud.gov.

Laura H. Hogshead
Certifying Officer
June 13, 2022