

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

7/15/2024
City of Raleigh, NC
421 Fayetteville St., 12th Floor
Raleigh, NC 27602
919-996-4330

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Raleigh.

REQUEST FOR RELEASE OF FUNDS

On or about Monday, August 5th, 2024, the City of Raleigh will submit a request to the HUD/Greensboro Field Office for the release of federal funds under the Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project called the East College Park Townhomes.

The City of Raleigh seeks to develop the subject properties into townhomes that will be sold to first-time homebuyers. The project will occur across two sites:

- Site 3 (total acreage 0.42 ac): 30 N Carver St (PIN: 1713490219)
- Site 4 (total acreage 0.59 ac): 102 N Carver St (PIN: 1713490418), 104 N Carver St (PIN: 1713490510), 106 N Carver St (PIN: 1713490512), 108 N Carver St (PIN: 1713490519), 110 N Carver St (PIN: 1713490624), 112 N Carver St (PIN: 1713490626), 114 N Carver St (PIN: 1713490629)

Six townhomes will be built on each site for a total of 12 townhome units across the two sites. At least eight of the total units built will be sold to eligible low- to moderate-income households. The remaining four units may be sold to non-income-qualified households. The City intends to work with Evergreen Construction to develop the townhomes. Evergreen was selected through a competitive Request for Proposals (RFP) process soliciting developers.

The East College Park Townhome development would address a critical need for more affordable housing in the City of Raleigh. The City anticipates using up to \$500,000 in federal CDBG funds for site improvements on the subject properties.

FINDING OF NO SIGNIFICANT IMPACT

The City of Raleigh 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. The Environmental Review Record (ERR) that documents the environmental determination for this project is on file at the City of Raleigh Department of Housing & Neighborhoods Community Development Division at 421 Fayetteville Street, 12th floor, where the ERR can be examined and is available for review and may be examined or copied weekdays 8:30 A.M. to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Raleigh Community Development Division. All comments received by Sunday, August 4th, 2024, will be considered by the City of Raleigh prior to authorizing submission of the request for release of funds.

RELEASE OF FUNDS

The City of Raleigh certifies to the HUD/Greensboro Field Office that Marchell Adams-David in her capacity as City Manager 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. The HUD/Greensboro Field Office's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The HUD/Greensboro Field Office will accept objections to its release of funds and the City of Raleigh'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 Raleigh;
- b) the City of Raleigh 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 has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by the HUD/Greensboro Field Office; 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:

Matthew T. King, PhD
HUD-Greensboro Field Office
1500 Pincroft Rd., Suite 401, Greensboro, NC 27407-3838
or emailed to gforroff@hud.gov

Potential objectors should contact the HUD/Greensboro Field Office at 336-547-4000 to verify the actual last day of the objection period.

Marchell Adams-David, City Manager



U.S. Department of Housing and Urban
 Development
 451 Seventh Street, SW
 Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: East-College-Park-Townhomes

HEROS Number: 900000010349477

Project Location: 30 N Carver St, Raleigh, NC 27610

Additional Location Information:

The project will occur across four sites: Site 3: 30 N Carver St (PIN: 1713490219); total acreage 0.42 ac
 Site 4: 102 N Carver St (PIN: 1713490418), 104 N Carver St (PIN: 1713490510), 106 N Carver St (PIN: 1713490512), 108 N Carver St (PIN: 1713490519), 110 N Carver St (PIN: 1713490624), 112 N Carver St (PIN: 1713490626), 114 N Carver St (PIN: 1713490629); total acreage 0.59 ac

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Six townhomes will be built on each site for a total of 12 townhome units across the two sites. At least eight of the total units built will be sold to eligible low- to moderate-income households. The remaining four units may be sold to non-income-qualified households. The City intends to work with Evergreen Construction to develop the townhomes. Evergreen was selected through a competitive Request for Proposals (RFP) process soliciting developers. The East College Park townhome development would address a critical need for more affordable housing in the City of Raleigh. A housing needs assessment prepared in 2022 by HR&A Advisors reported that the homeownership rate in the City has declined since 2014. Overall, nearly 15,000 homeowners in Raleigh are cost-burdened, accounting for 15% of all homeowners. Homeowners of color and seniors are disproportionately likely to be cost burdened, meaning they may have difficulty affording necessities like food, medicine, and transportation because they spend more than they can afford on housing. These trends illustrate the need that the redevelopment of the subject properties would meet in providing new affordable homeownership opportunities in the City of Raleigh. This project is consistent with the City's 2030 Comprehensive Plan, which includes an Affordable Housing Location Policy with the goal to create affordable housing along Bus Rapid Transit (BRT) corridors such as New Bern Avenue. The subject property is within the East College Park neighborhood, a Neighborhood Revitalization Strategy Area (NRSA) in which the City has invested significantly, including funding extensive infrastructure updates, sponsoring the development of almost 100 single-family homes to be sold to first-time homebuyers, and relocating and modernizing Fisher Street Park. The City anticipates using up to \$500,000 in federal CDBG funds for site improvements on the subject properties.

Funding Information

Grant Number	HUD Program	Program Name
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B-21-MC-37-0009	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$0.00
B-23-MC-37-0009	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$0.00

Estimated Total HUD Funded Amount: \$500,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,300,000.00

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
Contamination and Toxic Substances	Several environmental investigations have been conducted on the property since 2019 by various environmental consulting firms. Most recently, AECOM issued a Final Risk Assessment for Peggy's Cleaners on August 25, 2023 stating "The results of the risk assessment were not within acceptable levels of risk for the indoor air inhalation exposure pathway for residential under future conditions due to elevated soil gas contaminant concentrations detected in sub-slab vapor samples...As such, it is recommended that vapor intrusion land use controls be utilized." In accordance with this recommendation, vapor intrusion barriers will be installed beneath the buildings during townhome constructin.
Noise Abatement and Control	A Noise Assessment was conducted at seven Noise Assessment Locations (NALs) on the project site. Two of the NALs had noise levels > 65 dB (67 dB): NAL #1 and NAL#2 (refer to the attachment, DNL Calculator Scratchpad, for a map showing the NALs). The outdoor amenity area (NAL #2) with a noise level of 67 dB does not require mitigation, as federal regulation does not require mitigation for exterior areas unless day/night noise level (DNL) is above 75 dB. Indoor spaces will achieve a DNL at or below 45 dB, as required by regulation, through noise attenuation measures achieved by above-standard building

	<p>materials. The townhome construction will meet the SystemVision program requirements for energy efficiency, which also reduce interior noise penetration. These standards include wall, floor, ceiling and slab/crawl insulation above code, as well as air tightness less than or equal to .20 CFM50 per square foot of conditioned envelope area.</p> <p>For more information, refer to: https://www.advancedenergy.org/wp-content/uploads/2023/05/SystemVision-New-Construction-Standards_revised2022.pdf.</p>
<p>Hazards and Nuisances including Site Safety and Site-Generated Noise</p>	<p>The adverse environmental impacts will be mitigated by installing vapor intrusion barriers beneath the townhome buildings during construction, and by ensuring that indoor spaces achieve a DNL at or below 45 dB, as required by regulation, through noise attenuation measures achieved by above-standard building materials. The townhome construction will meet the SystemVision program requirements for energy efficiency, which also reduce interior noise penetration. These standards include wall, floor, ceiling and slab/crawl insulation above code, as well as air tightness less than or equal to 0.20 CFM50 per square foot of conditioned envelope area. For more information, refer to: https://www.advancedenergy.org/wp-content/uploads/2023/05/SystemVision-New-Construction-Standards_revised2022.pdf.</p>
<p>Permits, reviews, and approvals</p>	<p>Building Permit to be obtained by selected contractor.</p>

Project Mitigation Plan

This mitigation plan will be carried out and monitored through the contract between the City of Raleigh and the selected contractor.

Determination:

<input checked="" type="checkbox"/>	<p>Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment</p>
<input type="checkbox"/>	<p>Finding of Significant Impact</p>

Preparer Signature: Willie A. Hartye Date: 7/1/24

Name / Title/ Organization: Will Hartye / / RALEIGH

Certifying Officer Signature: Marcell Adams-Daniel Date: 7/9/2024

Name/ Title: Marchell Adams David, City Manager

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

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. 08/31/2023)

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) CDBG Program	2. HUD/State Identification Number B-21-MC-37-0009 B-23-MC-37-0009	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) CFDA No. 14.218	5. Name and address of responsible entity City of Raleigh 222 W. Hargett St, Raleigh, NC 27601	
6. For information about this request, contact (name & phone number) Will Hartye, 919-996-4330, Will.Hartye@raleighnc.gov		
8. HUD or State Agency and office unit to receive request HUD Greensboro Field Office 1500 Pinecroft Rd, Suite 401 Greensboro, NC 27407-3838	7. Name and address of recipient (if different than responsible entity) 	
<p>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</p>		
9. Program Activity(ies)/Project Name(s) East College Park Townhomes	10. Location (Street address, city, county, State) 30 N Carver St, 102 N Carver St, 104 N Carver St, 106 N Carver St, 108 N Carver St, 110 N Carver St, 112 N Carver St, 114 N Carver St	

11. Program Activity/Project Description

Six townhomes will be built on each site for a total of 12 townhome units across the two sites. At least eight of the total units built will be sold to eligible low- to moderate-income households. The remaining four units may be sold to non-income-qualified households. The City intends to work with Evergreen Construction to develop the townhomes. Evergreen was selected through a competitive Request for Proposals (RFP) process soliciting developers.

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The City anticipates using up to \$500,000 in federal CDBG funds for site improvements on the subject properties.

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	Title of Certifying Officer City Manager
	Date signed <u>7/9/2024</u>
Address of Certifying Officer 222 W. Hargett St Raleigh, NC 27601	

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	Title of Authorized Officer
X	
	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)