

**NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS
FOR A TIERED PROJECT OR PROGRAM**

March 28, 2021

Washtenaw County
415 W. Michigan Ave., Suite 2200
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(734) 544-6747

REQUEST FOR RELEASE OF FUNDS

On or about **April 8, 2021**, Washtenaw County will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of 2020 Community Development Block Grant (CDBG) Funds under Title I of the Housing and Community Development Act of 1974 as amended, to undertake the following project:

Tier 1 Broad Review Project/Program Title: Washtenaw Urban County Single Family Residential Rehab Program 2020

Purpose: The Single Family Residential Rehabilitation Program provides rehabilitation and improvements of owner-occupied housing located in Urban County jurisdictions within Washtenaw County, MI. The rehabilitation and improvements of Owner-Occupied Housing located in Urban County Jurisdictions includes, but not limited to, the rehab of single family residential homes, condominiums and manufactured homes, emergency repairs such as furnaces and hot water heaters, roof repair, barrier-free access improvements such as accessibility ramps, energy efficiency improvements, correcting code violations, and other improvements for low-income households who own their home. The project area for the Single Family Rehabilitation is the 20 member jurisdictions of the Washtenaw Urban County which include the City of Ann Arbor, Ann Arbor Township, Augusta Township, Bridgewater Township, the City of Dexter, Dexter Township, Lima Township, Manchester Township, Northfield Township, Pittsfield Township, Salem Township, the City of Saline, Saline Township, Scio Township, Superior Township, Sylvan Township, Webster Township, York Township, the City of Ypsilanti, and Ypsilanti Township.

Level of Environmental Review Citation: 24 CFR Part 58.5(a)(3)(i)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: The Protection of Historic Properties under 36 CFR Part 800; Executive Order 11988 and 24 CFR Part 55 regarding Floodplain Management; Flood Insurance under Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]; Executive Order 11990 regarding Wetlands Protection; HUD Environmental Standards regarding Toxic, Radioactive and Hazardous Materials under 24 CFR Part 58.5(i)(2), Explosive and Flammable Materials under 24 CFR Part 51, Subpart C; Airport Hazards related to Clear Zones and Accident Potential Zones, 24 CFR Part 51 Subpart D; Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978, 24 CFR Part 51 Subpart B; and Environmental Justice under Executive Order 12898.

Mitigation Measures/Conditions/Permits (if any): The properties identified for this project in each of the Tier 2 Site-Specific environmental reviews are not expected to have any mitigation measures, conditions or federal permits. However, the following mitigation measures and conditions will be followed and the applicable federal permits obtained if necessary as described for each of the following laws and authorities:

- **Floodplain Management:** Properties in a Floodway will not be approved. If the project meets or exceeds the determination of being a substantial improvement the project will follow the 8-Step Process according to Executive Order 11988 and/or the project will be assessed on whether or not the project is feasible. Substantial improvement is defined as any repair, reconstruction, modernization or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the improvement or repair is started or if the structure has been damaged before the damage occurred or any repair, reconstruction, modernization or improvement of a structure that results in an increase of more than 20% of dwelling units or peak number of customers and employees. If the project is located in a floodplain, a Section 404 permit may be required. If required, an application will be made to the Michigan Department of Environment, Great Lakes & Energy (EGLE) for a Section 404 permit. Projects that are located in proximity of a National Wild and Scenic River System NRSRS river, including in proximity of a segment of the Nationwide Rivers Inventory and require a Section 404 permit from the Michigan Department of Environment, Great Lakes & Energy will not be approved.

- **Floodplain Insurance:** Properties in a Floodway will not be approved. Properties in a floodplain will not be approved unless it is an urgent need, and the current property owner and all future property owners will be required to carry flood insurance during the life of the rehabilitation loan and/or the project will be assessed on whether or not the project is feasible. If the project is a grant, then the current property owner and all future property owners will be required to carry flood insurance during the life of the residential structure and/or the project will be assessed on whether or not the project is feasible.
- **Wetlands Protection:** For projects that include expanding the footprint of the residential building or other accessory buildings to the residential building on the property into a wetland or involve ground disturbance in a wetland, other alternatives that do not involve expanding the footprint of a residential building or an accessory building into a wetland and/or other alternative that do not involve ground disturbance in a wetland will be pursued. If it is not possible to avoid expanding the footprint of a residential building or an accessory building and/or it is not possible to avoid ground disturbance in a wetland then documentation that there are no practicable alternatives by the completion of the 8-step process according to Executive Order 11990 will be completed for the project. If the project is located in a jurisdictional wetland, a Section 404 permit may be required. If required, an application will be made to the Michigan Department of Environment, Great Lakes & Energy for a Section 404 permit. Projects that are located in proximity of a National Wild and Scenic River System NRSRS river, including in proximity of a segment of the Nationwide Rivers Inventory and involve expanding the building footprint into a wetland or involve ground disturbance in a wetland and require a Section 404 permit from the Michigan Department of Environment, Great Lakes & Energy will not be approved. Individual Site-Specific projects are not expected and are very unlikely to be located in a wetland based on supporting documentation.
- **Noise Abatement and Control:** If the project either meets or exceeds the threshold of being considered substantial rehab (the total costs of project meet or exceed 75% of the post-rehab value of the home) and the noise level is between 66 and 75 Day-Night Noise Level (DNL), then a HUD Sound Transmission Classification Assessment Tool (STraCAT) assessment (from the HUD STraCAT webpage: <https://www.hudexchange.info/stracat/>) will be completed and then the STraCAT noise mitigation standards for the project will be recommended and evaluated to determine if financially feasible for the project.
- **Toxic, Radioactive and Hazardous Materials:** If contaminated, toxic and radioactive materials are located on or near the property and pose a hazard to the occupants then one of two decisions will be made: (1) eliminate the hazard before moving forward with the rehabilitation or (2) not fund the rehabilitation. If the hazard is eliminated, it will be documented in the environmental review record file. Disposal of Hazardous materials such as asbestos will follow NESHAP rules and regulations.
- **Protection of Historic Properties:** If a housing unit is in an historic district and/or the Michigan SHPO office or Tribes if required to be consulted requests specific work to retain historic character, then the Washtenaw County Office of Community and Economic Development will assess whether or not this project is feasible. If feasible, Community and Economic Development will follow Michigan SHPO Office specifications or Tribal specifications for any projects involving historic properties.
- **Environmental Justice:** Any properties that will expose low-income persons and minorities to environmental hazards will not be approved. Any adverse environmental impacts will be analyzed for impact to low income/minority communities and addressed if necessary if property is approved. A NEPA Assist Map for each property that includes EPA-designated Superfund sites, CERCLIS sites, National Priority List sites, Resource Conservation and Recovery Act sites, and other EPA-designated sites that may contain contamination or toxic substances will be provided as well as the Michigan EGLE Environmental Mapper Map for each property will be provided for each property Contamination and Toxics section and other attached documents in that section will be referenced for the Environmental Justice section for each Tier 2 Site Specific Review. Additionally, all Above Ground Storage Tanks that contain explosive and hazardous materials identified within 1 mile of the property and their Acceptable Separation Distances will also be provided for each property and referenced in the Environmental Justice section for each Tier 2 Site Specific Review. Also, either a map that shows the location of the project and its proximity to airports in Washtenaw County and/or a Clear Zone map for the closest airport with designated Clear Zones by the Michigan Department of Transportation will be referenced in the Environmental Justice section for each Tier 2 Site Specific Review. For any project that requires a noise assessment, the noise assessment will be referenced in the Environmental Justice section of the Tier 2 Site Specific Review.

2020 CDBG Funding: \$350,000
Estimated Project Cost: \$350,000

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA). An Environmental Review Record (ERR) for the Single Family Rehab Program for CDBG 2020 that documents the environmental determination for this project can be accessed online at the following webpage: <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/> or by conducting an internet search using the following search term: "HUD Environmental Review Records". The ERR will also be made available to the public for review by U.S. mail. Please submit your request for access to the ERR by U.S. mail to Terry R. Brinkman, Data Specialist at Washtenaw County Office of Community and Economic Development by phone at (734) 544-2985 or by email to brinkmat@washtenaw.org. The ERR can also be accessed online at the following website www.washtenaw.org/3124/Environmental-Review-for-Upcoming-Projec.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Washtenaw County Office of Community and Economic Development. All comments received by **April 5, 2021** will be considered by Washtenaw County Office of Community and Economic Development prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

Washtenaw County certifies to HUD that Gregory Dill, Certifying Officer in his official capacity as County Administrator and Teresa Gillotti, Certifying Officer in her official capacity as Director of the Washtenaw County Office of Community and Economic Development; consent 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 Washtenaw County to use HUD program funds.

OBJECTIONS TO THE RELEASE OF FUNDS:

HUD will accept objections to its release of funds and the Washtenaw County'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 Washtenaw County; (b) Washtenaw County 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 at its Area Office in Detroit, MI, at the following email address: CPD_COVID19OEE-DET@hud.gov. The physical address of the Detroit Field Office of HUD is the 16th and 17th Floor, Patrick V. McNamara Building, 477 Michigan Avenue, Detroit, Michigan 48226, however, all objections should be sent to the email address in the previous sentence. Potential objectors should contact HUD to verify the actual last day of the objection period.

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