



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*), NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (*NOI-RROF*), AND FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

**PALATINE MEADOWS
4100 ACADEMIC DRIVE, NEW BERN,
CRAVEN COUNTY, NORTH CAROLINA**

SEPTEMBER 16, 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 (FONSI), Notice of Intent to Request Release of Funds (NOI-RROF), and Final Notice and Public Review of a Proposed Activity in a 100-year Floodplain and Wetland satisfies three 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 \$3,810,000.00 for the Palatine Meadows (“Proposed Project”), which is located at 4100 Academic Drive in New Bern, Craven County, North Carolina 28562 (Parcel ID 8-211-008). The Proposed Project is anticipated to have a total cost of \$12,077,819.00. The Proposed Project will involve the new construction of a multifamily, affordable housing project consisting of 60 units in three residential buildings, a community building, playground, recreation areas, and surface parking. The City is seeking affordable housing to address the shortage in inventory exacerbated by the effects of the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). Palatine Meadows will provide a multifamily residential development for low-income households in the City of New Bern.

Mailing Address:
Post Office Box 110465
Durham, NC 27709



Phone: (984) 833-5350
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www.rebuild.nc.gov

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PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

NCORR has conducted an evaluation as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The Proposed Project will result in temporary impacts to 0.01 acres of 100-year floodplain and 0.0187 acres of wetlands. The Proposed Project will result in permanent impacts to 0 acres of 100-year floodplain and 270 square feet of wetlands in an existing drainage ditch located along Academic Drive. These impacts will consist of the replacement of two City-owned culverts located under the existing driveway access to Academic Drive in order to facilitate drainage flow to the south. In addition, the overflow from the Proposed Project's stormwater pond will discharge to this drainage ditch when the pond meets maximum capacity. A total of 100 linear feet of 15-inch diameter existing culvert pipe will be replaced with 18-inch diameter pipe. Stone aprons will be placed on either end of the new culvert pipes (total of 4 aprons) as well as at the outflow from the pond (1 apron). Each apron is 6 feet by 9 feet. The total impact to the drainage ditch will be 0.0187 acres. A small portion of 100-year floodplain is located on the northern portion of the Site. The floodplain will only be modified to remove a few trees. A stormwater pond will be built adjacent to the floodplain but has been designed to remain outside of the floodplain. Since the action will include new construction in wetland and floodplain, EO 11988 and EO 11990 require that the Proposed Project not be supported if there are practicable alternatives to development in floodplain and new construction in wetlands. Alternatives and the 8-step process have been documented in the EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination which is available for review. Applicable permits from the U.S. Army Corps of Engineers, NC Department of Environmental Quality, and local jurisdictions will be acquired before work is commenced. The Proposed Project will be constructed in accordance with permit requirements and their conditions.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/ wetlands and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains/ wetlands can facilitate and enhance federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains/ wetlands, it must inform those who may be put at greater or continued risk.

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 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 and EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination is available online at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>. Documents may also 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 published in a newspaper of general circulation in the affected community.

Public Comments on the Proposed Activity within Floodplain and Wetland, 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 October 3, 2022 at publiccomments@rebuild.nc.gov. Written comments may also be submitted by mail, in the proper format, to be received on or before October 3, 2022, and addressed to: NCORR – Public Comments, P.O. Box 110465, Durham, NC 27709. All comments must be received on or before October 3, 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 October 4, 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 Hogshead
Certifying Officer
September 16, 2022