

## **NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS FOR TIERED PROJECTS AND PROGRAMS**

February 6, 2025  
Village of Emerson, NE  
511 North Main Street  
Emerson, NE 68733  
(402) 695-2662

On or after February 14, 2025 the Village of Emerson will submit a request to the United States Department of Housing and Urban Development (HUD), or its State administering agency, Nebraska Department of Economic Development (State), for the release of Community Development Block Grant (CDBG) funds under Title I of the Housing and Urban Development Act of 1974 (U.S.C. 5301 et seq.), as amended, to undertake a project known as The Emerson DTR Façade Improvement Program for the purpose of addressing blight in Emerson's designated Downtown District.

Tier II site specific reviews will be completed for those laws and authorities not addressed in the Tier I broad review for each address under this program when addresses become known. Level of Environmental Review Citation: Categorical Exclusion Subject To the requirements of 24 CFR 58.5 as defined under 24 CFR 58.35(a)(3)(iii)(b)

Tier II site specific review. The site-specific reviews will cover the following laws and authorities not addressed in the Tier I broad review: Contamination and Toxic Substances [24 CFR 58.5(i)(2)]; Endangered Species [50 CFR 402]; Explosive and Flammable Operations [24 CFR 51C], and Historic Preservation [36 CFR 800].

Mitigation Measures/Conditions/Permits (if any):

Upon selection of each site for participation in the Emerson DTR Façade Improvement Program, the following steps will be taken to ensure project compliance. NEPA Assist mapping tool will be used to determine presence and mitigation requirements for Contamination and Toxic Substances. The Conservation and Environmental Review Tool (CERT) program will be used to determine potential effect of project plans on identified Endangered Species and necessary mitigation action(s). An on-site visual inspection for Explosive and Flammable Operations will be conducted as project area includes a fueling station to determine potential effect of project implementation. An online review form will be submitted State Historic Preservation Office (SHPO) for determination of need (if any), and means necessary, to maintain Historic Preservation of significantly historic components of project sites.

The activities proposed are Categorically Excluded Subject To (CEST) under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at Emerson's Village Office, 511 North Main Street, Emerson, NE 68733, and may be examined or copied weekdays 8 A.M to 4 P.M. 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 the address above or by email to [emersonoffice70@gmail.com](mailto:emersonoffice70@gmail.com). If the RE chooses to send the ERR to the public for review via U.S. mail, the Responsible Entity (RE), will establish a timeframe for accepting

comments with the person requesting the ERR. The ERR can be accessed online at the Village of Emerson Website: <https://emerson-village.nebraska.gov>.

## PROJECT DESCRIPTION

The Village of Emerson, located in Dakota, Dixon, and Thurston Counties, Nebraska (Village) is preparing to implement a Façade Improvement Program within the designated Blighted Area of the Downtown District within the municipal limits of the Village (the Project). The affected area runs the full length of Main Street (NE-9 within Village limits) from the Village's drawn north end border to the west of Main to Center Street, covering about 75% of the street, extending at most no more than 1.5 half blocks to the west and one block to the east. Main Street is a state designated major arterial with about 3600 linear feet serving as the primary corridor for the Project. There are 23 privately owned eligible properties in the Project area which are zoned Commercial.

All property owners within the designated district are eligible to apply. Not all applicants will be awarded. A minimum of four properties will be selected through a Village application process. Project applications will continue to be accepted, processed, and awarded until funds are expended. Each application will be reviewed by Emerson's DTR Committee to ensure applicability as outlined in Emerson's Downtown Revitalization Façade Improvement Program Guidelines. Funds are awarded on a reimbursement basis.

Funded project activities may include building surface improvements such as façade or window and door replacement, structural brick tuck pointing and restabilization of masonry work, and permanent lighting. No new construction will be involved, and no trees will be removed. A Tier II environmental review will be completed for each site selected.

Project impacts may include temporary sidewalk closures, noise and dust. Affected businesses, residents, and emergency services will be notified of all such closures by posted and hand-delivered notice. Work areas will be clearly indicated with posted guidance on alternate routes. Project activities will take place during normal business hours.

Total Project costs are estimated at \$535,000, including \$25,000 for general administration and \$10,000 for construction management. Funding sources include a Community Development Block Grant (CDBG) from the Nebraska Department of Economic Development (NE DED) for \$435,000 and a match from program participants totaling \$100,000. The primary benefit of the project is to eliminate substandard and blight conditions in the designated area. All funded façade projects will be completed within two (2) years. No persons, farms, or businesses will be displaced as a result of the Project activities.

## PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Beth Bonderson, Village Clerk, Village of Emerson, NE. All comments received by February 13, 2025 will be considered by the Village of Emerson prior to authorizing submission of a request for release of funds.

## ENVIRONMENTAL CERTIFICATION

The Village of Emerson certifies to the State that Tarry Daum in their capacity as Board of Trustees Chair 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 State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Village of Emerson to use Program funds.

## OBJECTIONS TO RELEASE OF FUNDS

The Nebraska Department of Economic Development will accept objections to its release of funds and the Village of Emerson 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 Village of Emerson; (b) grant recipient 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 the Nebraska Department of Economic Development; 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) in writing to the Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521. Potential objectors should contact the Nebraska Department of Economic Development to verify the actual last day of the objection period.

Tarry Daum  
Village Board of Trustees, Chair