

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOIRROF)

February 13, 2025

Nebraska Department of Economic Development
245 Fallbrook Blvd, Suite 002
Lincoln, NE 68521
800-426-6505

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Nebraska Department of Economic Development, the grant recipient, and also the Responsible Entity (RE).

REQUEST FOR RELEASE OF FUNDS

On or after March 4, 2025, the Nebraska Department of Economic Development will submit a request to the United States Department of Housing and Urban Development (HUD) for the release of HOME Investment Partnerships Funds (HOME) program funds under Title II of the (Cranston-Gonzalez) National Affordable Housing Act of 1990 (42 U.S.C. 12701 et seq.), as amended, to undertake a project known as Poppleton Project East LLC for the purpose of a proposed new construction of a 51-unit rental housing project to be occupied by the general population in Omaha, Douglas County, Nebraska. The units will be located just southwest of downtown on the SE corner of Park Ave. & Poppleton. This is a 5-story multifamily project with the first floor as indoor parking, one 'L' shaped building. The 51 units will be a mix of studio, 1 bedroom, 2 bedroom and 3-bedroom units from 605 – 1,265 SF.

All units in Poppleton will include an indoor or outdoor supplemental parking stall, storm shelter, washer, dryer, range, refrigerator, dishwasher, garbage disposal and microwave. Lawn care, snow removal and trash will be provided and paid for by the project.

The Nebraska Department of Economic Development will be the HOME Investment Partnerships Fund (HOME) Sponsor. inCOMMON Housing Development Corporation, Omaha, Nebraska, is the LIHTC Developer and applicant, and Managing Member of Poppleton Project East, LLC, the ownership entity of the project. inCOMMON Housing Development Corporation will also have a right of first refusal to purchase the property at the end of the 15-year tax credit compliance period. The investing member of the LLC will be USBancorp (USBCDC).

All 51 units will be leased to households whose incomes are below 60% or less of AMI as determined in accordance with Section 42 of the Internal Revenue Code. Seven of the units will be floating (they can change as different tenants move in and out) HIGH HOME units, serving households at or below 60% AMI. (4 State HOME, 3 City HOME units). Seven (7) of the units will be reserved for residents making at or below 40% AMI. An additional (21) units will be reserved for residents making at or below 50% (with total of 28 out of 51 units reserved for tenants making at or below 50%).

The total project cost is estimated to be \$19,251,137. Of this amount, \$8,302,096 will be funded with federal Low-Income Housing Tax Credit equity, \$4,556,484 will be funded with state Affordable Housing Tax Credit equity, \$500,000 will come from State HOME Funds, \$300,000 from City HOME funds, \$1,125,000 ARPA managing member equity loan, \$200,000 owner equity, \$800,000 managing member equity loan, \$19,500 solar rebate, \$600,000 deferred developer fee, \$350,000 City of Omaha Tax Increment Financing(TIF) loan and \$2,498,057 will be in the form of a conventional first mortgage (all figures are approximate).

All the units are handicapped adaptable and will meet visibility standards. One unit will meet all UFAS requirements for accessibility. The Poppleton apartments will also be serving special populations under Collaborative Resources Allocation for Nebraska (CRANE) Program with 30% of the units reserved for tenants that identify as having an accessibility or disability yet 100% of the units will follow Kelsey Universal Design Standards with the assistance of Assistology. Nationally, only 6% of rental units provide accessibility accommodations.

The land is currently vacant. There will be no displacement of residents, businesses or farms. Project will be completed within 24 months.

FINDING OF NO SIGNIFICANT IMPACT

The Nebraska Department of Economic Development 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. Additional project information is contained in the Environmental Review Record (ERR) on file at the Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521, or inCommon Housing, 1340 Park Avenue, Omaha NE 68105 and may be examined or copied weekdays 9:00 A.M to 4:00 P.M. at the DED Office and Tuesday – Friday 10:00 A.M. to 4 P.M. at the inCommon Housing office. 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. If the public viewer wishes to have the ERR sent for review via U.S. mail, the RE will establish a timeframe for accepting comments with the person requesting the ERR. The ERR can be accessed online at the following website: <https://opportunity.nebraska.gov/environmental-review/>.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Nebraska Department of Economic Development. All comments received by March 3, 2025, will be considered by the Nebraska Department of Economic Development prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The Nebraska Department of Economic Development certifies to HUD that Joseph Lauber in his capacity as Deputy Director, 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's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Nebraska Department of Economic Development to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the Nebraska Department of Economic Development 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 Nebraska Department of Economic Development; (b) the Nebraska Department of Economic Development 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) to HUD's email address at CPD_COVID-19OEE-OMA@hud.gov. Potential objectors should contact HUD via email to verify the actual last day of the objection period.

Joseph Lauber, Deputy Director
State of Nebraska, Department of Economic Development