

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

September 27, 2024

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.**

**REQUEST FOR RELEASE OF FUNDS**

On or about October 15, 2024 the Nebraska Department of Economic Development(DED) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of 2019 Community Development Block Grant – Disaster Recovery (CDBG-DR) funds under Public Law 116-20 of the Additional Supplemental Appropriations for Disaster Relief Act 2019, as amended, to undertake a project known as Tallgrass Bond, LP for the purpose of affordable housing project consisting of one hundred thirty (130) rental units comprised of one-, two-, and four-bedroom units, configured into eight (8) buildings. The buildings will be two to three stories tall, and units will be configured in a walk-up apartment and rowhouse typology. The project will also construct a small play area designed for 5–12-year-old users and an exercise area including a basketball hoop. The project will adhere to the IRS Section 42 Low Income Housing Tax Credit (LIHTC) Program and will primarily benefit low-to-moderate income families at or below 60% of the Area Median Income (AMI). All grading, street, and infrastructure improvements to support the project will be in place in advance of acquisition and construction. The construction activities will not have a significant impact on the public, as the immediate surroundings in all directions of the site are currently vacant. Construction is expected to commence in the fall of 2024. During construction, vacant adjacent ground to the South of the site will be used for construction staging to maximize the efficiency of the procurement and building delivery process. Little vegetation currently exists on the site, but temporary ground cover is present. Where required for construction activity, vegetation will be scraped, but the remainder will be preserved to mitigate erosion. No demolition scope is required for this project. Waste will be managed to minimize volume. This project will utilize pre-engineered, factory constructed framing components, minimizing the volume and cost of wasted structural material. The adjacent staging area will be configured to allow receipt of bulk deliveries, minimizing individual packaging.

Total project costs are estimated at \$36,908,618 and will be supported by approximate funding sources of \$2,000,000 CDBG-DR funds, Conventional Loan of \$11,900,567, LIHTC equity of \$14,080,716, Nebraska Affordable Housing Tax Credits of \$6,107,298, 4% Tax Exempt Bond Financing of \$11,900,567, Solar Tax Credits of \$113,295, Owner Equity of \$470,511, and a Deferred Developer Fee of \$2,236,231 and a Construction Loan of \$10,750,000. The project will be located at 6901 Capehart Road, Papillion, NE.

## **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 Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521 and may be examined or copied weekdays 8 A.M to 5 P.M.

## **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521. All comments received by October 15, 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 H. Lauber in his capacity as Deputy Director-Operations/Chief Legal Officer/Environmental Review Certifying Officer 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. Nebraska Department of Economic Development's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Tallgrass Bond, LP 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'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 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) and shall be addressed to Department of Housing & Urban Development (HUD), Office of Disaster Recovery, 451 Seventh Street, W, Room 7272, Washington, DC 20410. Or email at [disaster\\_recovery@hud.gov](mailto:disaster_recovery@hud.gov) Potential objectors should contact HUD to verify the actual last day of the objection period.

Joseph H. Lauber  
Deputy Director – Operations/Chief Legal Officer  
Environmental Review Certifying Officer  
Nebraska Department of Economic Development