

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

March 26, 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 April 16, 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 Benjamin Villas for the purpose of a proposed new construction of a 28-unit rental housing project to be occupied by the general population in Norfolk, Madison County, Nebraska. The project will be built in duplex design and consists of 28 single story, three- and four-bedroom rental units (fourteen buildings). The 3 Bedroom units will have 1,218 square feet of living space and the 4 Bedroom Units will have 1,501 square feet. All units in Benjamin Villas will include 3kW of Solar. The units also have an attached garage, garage door opener, 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.

Project will adhere to the (Federal Internal Revenue Code) Section 42 Low Income Housing Tax Credit (LIHTC) Program. Four of the units will be HOME Investment Partnerships Program (“HOME”) floating HIGH HOME units occupied by tenants at or below 60% AMI (area median income). There will be no displacement of residents, business, or farms.

The Norfolk Housing Development Corporation is the LIHTC and HOME Funds Applicant. Mesner Development Co. is Developer of the project. The Norfolk Housing Development Corporation will also be the Managing Member of Benjamin Villas, LLC, the ownership entity of the project. The Norfolk Housing Agency will be the Property Management Agent. The investing member of LLC will be Midwest Housing Equity Group. The Norfolk Housing Development Corporation will receive the non-profit Right of First Refusal on the project.

The total project cost is \$7,315,643. Of this amount, \$4,108,807 will be funded with Federal Low-Income Housing Tax Credit equity, \$1,811,835 will be funded with State Affordable Housing Tax Credit equity, \$85,000 will be from Owner Equity, \$650,000 will be in the form of a HOME Funds deferred loan, \$660,000 will be in the form of a conventional first mortgage.

All of the units are handicapped, adaptable and will meet visitability standards. Two units will meet all Uniform Federal Accessibility Standards (UFAS) requirements for accessibility. One unit will meet the visual/hearing impaired requirements. 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 Norfolk Housing Development Corporation office located at 1310 W Norfolk Avenue, Suite D, Norfolk NE 68701 and

may be examined or copied weekdays 9:00 A.M to 4:00 P.M. at the DED Office and Monday – Friday 10:00 A.M. to 4 P.M. at the Norfolk Housing Development Corporation 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/> and can be accessed <https://norfolkne.gov/government/departments/housing/>.

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 April 14, 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