

UPDATED
COMBINED PUBLIC NOTICE

**FINAL NOTICE AND PUBLIC EXPLANATION OF
A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

August 17, 2020

City of North Little Rock
Community Development Agency (CDA)
500 W 13th Street
North Little Rock, AR 72114
Phone: 501-906-6279

TO ALL INTERESTED GOVERNMENT AGENCIES, GROUPS AND INDIVIDUALS:

UPDATE: This notice was first published on August 5, 2020 in the Arkansas Leader. The U.S. Department of Housing and Urban Development (HUD) mailing address provided in the original notice for submission of objections to the release of funds should not be used. Due to the COVID-19 pandemic, many federal employees are teleworking from home and will not have access to correspondence sent through the U.S. Mail to their physical office building address. Any submission of an objection to the release of funds should instead be sent to the HUD email address provided below. (Refer to last paragraph of this notice.) The City now plans to submit its Request for Release of Funds to HUD on or about August 18, 2020.

This Combined Notice shall satisfy the above-cited two separate but related procedural notification requirements.

**FINAL NOTICE AND PUBLIC EXPLANATION OF
A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN**

This is to give notice that the City of North Little Rock Community Development Agency (CDA) has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20, Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its action in the 100 year floodplain will have on the human environment. The proposed action will be funded under the Community Development Block Grant (CDBG) Program through Department of Housing and Urban Development (HUD) grants B-18-MC-05-0005 and B-19-MC-05-0005. The project includes street and stormwater drainage improvements on the two blocks of 9th Street from G Street to I Street in the Dixie area of North Little Rock, AR, in Pulaski County. Heavy rain causes flooding and pooling of water in yards, driveways, and street, resulting in unhealthy and unsafe conditions for residents, pedestrians and drivers. The project will include replacement and/or installation of underground pipes and junction boxes in the footprint of the existing stormwater management system in the City right of way. Project will also include removal of existing street to sub-grade and installation of new street, inlets, curbs, gutters, driveway aprons, ADA compliant sidewalks and curb ramps. The approximately 0.67acre project site falls within a FEMA 100 year floodplain, per Community Number 050182, Panel 0363G, Flood Insurance Rate Map Number 05119C0363G, dated July 6, 2015.

The CDA has evaluated the project to determine if there is a practicable alternative to conducting the activity in the floodplain. The CDA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

- Alternate Sites - There are no practicable alternatives to performing the proposed street and drainage improvements at the subject location, as this is an existing street and drainage system. It is not possible to undertake this action outside of the floodplain.
- Alternate Actions - Due to the specific nature of the improvements, the only alternative action to consider is no action.
- No Action Alternative – Choosing a no action alternative would not achieve any of the benefits to be provided by the proposed improvements.

The proposed activity does not have the potential to increase flooding risks or adversely impact water resources, lives, or insurable property. The City of North Little Rock's Floodplain Administrator has reviewed the project, and current local and state floodplain permitting and protection procedure requirements will be followed. The City of North Little Rock will comply with applicable local, state, and Federal laws. It has been determined that the proposed activity will not adversely impact the current natural and beneficial values of the floodplain. The proposed improvements will have positive natural and economic impacts by addressing health and safety issues and renewing and revitalizing curb appeal in the area.

The CDA has reevaluated the alternatives to conducting the proposed activity in the floodplain and has determined that it has no practicable alternative and proceeding with the proposed undertaking is justifiable and appropriate. Environmental files that document compliance with steps 3 through 6 of Executive Orders 11988 are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts 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, it must inform those who may be put at greater or continued risk.

Written comments must be received by the CDA at the following address on or before August 13, 2020: City of North Little Rock Community Development Agency; Attention: Melissa Ervin, Director; 500 West 13th Street; North Little Rock, AR 72114. A description of the project may be reviewed at above address from 9:30am to 3:30pm Monday-Friday or on the web at www.nlr.ar.gov/communitydevelopment. Comments may also be submitted via email at mervin@nlr.ar.gov. Direct telephone inquiries to 501-906-6279.

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

On or about August 18, 2020, the City of North Little Rock will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake a project known as 9th Street from G to I / Street and Drainage Improvements, for the purpose of replacement and/or installation of underground pipes and junction boxes in the footprint of the existing stormwater management system in the City right of way. Project will also include removal of existing street to sub-grade and installation of new street, inlets, curbs, gutters, driveway aprons, ADA compliant sidewalks and curb ramps. Estimated total project funding is \$350,000, including an estimated \$320,000 of multiple years of HUD CDBG funding, and non-HUD local funds. Project is located on two blocks of 9th Street, from G Street to I Street, in North Little Rock, AR 72114.

The activities proposed are categorically excluded 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 the City of North Little Rock Community Development Agency (CDA) and may be examined or copied weekdays from 9:30am to 3:30pm.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of North Little Rock Community Development Agency; Attention: Melissa Ervin, Director; 500 West 13th Street; North Little Rock, AR 72114. Comments may also be submitted via email at mervin@nlr.ar.gov. All comments received by August 13, 2020 will be considered by the City of North Little Rock prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of North Little Rock certifies to HUD that Joe A. Smith, in his capacity as Mayor, 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of North Little Rock Community Development Agency to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of North Little Rock'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 City of North Little Rock; (b) the City of North Little Rock 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 the HUD Little Rock Office of Community Planning and Development at CPD_COVID-19OEE-LIT@hud.gov. Potential objectors should contact the HUD Little Rock Office of Community Planning and Development at CPD_COVID-19OEE-LIT@hud.gov to verify the actual last day of the objection period.

Joe A. Smith, Mayor
City of North Little Rock

Equal Opportunity in Housing and Employment

