

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

*March 25, 2021
City of Houston,
Housing and Community Development Department (HCDD)
2100 Travis St., 9th floor
Houston, TX 77002
(832) 394-6018/(832)394-6183*

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the *City of Houston, HCDD.*

REQUEST FOR RELEASE OF FUNDS

On or about April 12, 2021 the City of Houston's Housing and Community Development Department will submit a request to the Texas General Land Office (GLO), who is acting in the role of the U.S. Department of Housing and Urban Development (HUD) for the release of federal Community Development Block Grant Disaster Recovery (DR-17) (CDBG-DR) Harvey Buyout (HB) Program funds authorized by the Supplemental Appropriations for Disaster Relief Requirements of 2017, Public Law 115-56 and, Additional Supplemental Appropriations for Disaster Relief Requirements Act of 2018, Public Law 115-123 through activities authorized under Title I of the Housing and Community Development Act of 1974 as amended related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization and mitigation to undertake a project known as 3200 N. MacGregor.

Project Location: 3200 N. MacGregor Way, Houston, TX 77004 (29.711657, -95.369596)

Project description: The proposed project, 3200 N. MacGregor Way, will include acquisition and demolition of the existing structures and new construction of green space and a detention area.

This property, approximately 1.099 acres of land at 3200 N. MacGregor Way has been identified for purchase through the Harvey Buyout (HB) Program for use as a greenspace and a 2.6 ac-ft detention to improve overall drainage, and to assist local drainage projects in the area. The site has been studied as part of the larger mitigation strategy for the OST/Scott Area. The proposed site at 3200 N. MacGregor will benefit drainage improvement specific to Scott Street and provided needed detention for any increase flows to Brays Bayou.

This project consists of real estate acquisition, demolition of existing structures and construction of a detention and greenspace. The subject property is currently developed as an apartment complex with several residents. All tenants will be given notice to vacate the property and a relocation plan in accordance with the Uniform Relocation Act will be implemented.

This project entails Option Agreement for Purchase and Sale of Real Property between Appian

Way Opportunity Fund LLC (Seller) and the City of Houston (City) on February 5, 2021 for the purchase of The Appian Way Apartments (Property). The Property comprises approximately 47,890 sq. ft of land, including 37,138 sq. ft of improvements. The Purchase Price is \$6,050,000.00 based on appraisal, plus an additional due diligence and closing cost of \$219,500.00 as shown on the Budget Breakdown chart below. The purchase of the property is contingent on environmental clearance from the Texas General Land Office.

The acquisition of Property is an eligible Property under HCDD Disaster Recovery (DR17) Harvey Buyout (HB) Program. The Property was selected based on the following parameters:

- Located in a Floodway and/or Floodplain.
- Affected by the 2017 Flood Events.
- Repetitive flood loss from the years 2015-2017 and
- Adjacent to an ongoing HPW mitigation project, which supports the overall program to reduce the risk of future flooding.

HCDD in collaboration with Houston Public Works (HPW) intends to convert this site into greenspace and detention area, which would help reduce the risk for future flooding.

The Property shall be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices. Also, no new structure will be erected on property acquired.

This project proposes to use the following funding, including:

\$6,050,000.00.....	Estimated Purchase Price
\$70,000.00.....	Estimated Due Diligence and closing cost
\$149,500.00.....	Estimated Operating cost
\$6,269,500.00.....	TOTAL

FINDING OF NO SIGNIFICANT IMPACT

The City of Houston 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). 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 P.O. Box 1562, Houston, TX 77251-1562 or 2100 Travis St., 9th Floor, Houston, TX 77002 or by email to hcdenvironmental@houstontx.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 2100 Travis, 9th Floor, Houston, Texas 77002 or by email to

hcdenvironmental@houstontx.gov. All comments received by the close of business on April 9, 2021 will be considered by the City of Houston prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Houston certifies to GLO, acting in the role of HUD, that Sylvester Turner, 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. GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Houston to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

GLO, acting in the role of HUD, will accept objections to its release of funds and the City of Houston 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 Houston; (b) the City of Houston 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 GLO, acting in the role of 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 Texas General Land Office, P.O. Box 12873, Austin, Texas 78711-2873. Potential objectors should contact GLO to verify the actual last day of the objection period.

*Sylvester Turner, Mayor
City of Houston*
