

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

October 22, 2021

*Alameda County Housing and Community Development Department
224 West Winton Avenue, Room 108
Hayward, CA 94544*

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Alameda County Community Development Agency's Housing and Community Development Department.

REQUEST FOR RELEASE OF FUNDS

On or about **November 9, 2021** Alameda County's Housing and Community Development Department will submit a request to the HUD for the release of Community Development Block Grant funds under Title 24 of the Housing and Community Development Act of 1974, as amended. In order to submit a request for the funds, the Department of Housing and Urban Development requires a National Environmental Policy Act (NEPA) clearance when a project source has federal funds.

Eden Housing, Inc. proposes to develop a 6.3-acre site with Ruby Street Apartments, a project with a total of 72 multi-family units, 109 parking spaces, and open space and other site amenities. The site includes 3 contiguous parcels of varying sizes with the Assessor's Parcel Numbers (APNs) 415-230-81, -82, and -83 in Castro Valley, California. The total project cost is estimated to be \$51,000,000. Estimated Total HUD Funded Amount: \$15,471,651.

FINDING OF NO SIGNIFICANT IMPACT

The Alameda County Housing and Community Development Department 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) available online at: <https://www.acgov.org/cda/hcd/>

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Kelly M. Thiemann, HCD Manager via email at Kelly.thiemann@acgov.gov. All comments received by November 8, 2021 will be considered by the County prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

RELEASE OF FUNDS

Alameda County certifies to the U.S. HUD that Michelle Starratt, in her capacity as Housing Director, Alameda County Housing and Community Development Department, in her capacity as NEPA 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allow the County to use Programs funds as applicable.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to the Responsible Entity's (RE) Request of Release of Funds and Environment Certification for a period of fifteen days following the submission date specified above or the actual receipt of the request (whichever is later) only if they are on the following bases: (a) the certification was not executed by the certifying officer of the RE; (b) the RE has omitted a step or fail to make a determination or finding required by HUD regulation at 24 CFR part 58 or by CEQ regulation 40CFR 1500-1508, as applicable; (c) the RE has omitted one or more steps in the preparation, completion or publication of the Environmental Assessment or Environmental Impact study per 24 CFR subparts E,F or G of Part 58, as applicable; (d) the grant recipient or other participant in the development process has committed funds for undertaken activities not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; or (e) another Federal, State or local agency has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed United States Department of Housing and Urban Development, Region IX at CPD_COVID-19OEE-SFO@hud.gov . Potential objectors should contact United States Department of Housing and Urban Development, Region IX via email to verify the actual last day of the objection period.

Michelle Starratt
Director, Housing and Community Development and NEPA Certifying Officer
County of Alameda