



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Thomas K. Lai
DIRECTOR

**FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND
FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
100-YEAR FLOODPLAIN**

Marin County Civic Center
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Date: April 29, 2022

**County of Marin
Community Development Agency
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San Rafael, CA 94903**

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

This Notice shall satisfy the above-cited three separate but related procedural notification requirements for activities to be undertaken by the County of Marin.

www.marincounty.org/cda

REQUEST FOR RELEASE OF FUNDS

On or about May 16, 2022, the County of Marin will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of \$500,000 in Community Development Block Grants/Entitlement Grants, as authorized by the Housing and Community Development Act of 1974, Title I, Part 24, Section 570, Public Law 93-383, 88 Stat. 633, 42 U.S.C. 5301-5321, as amended; and will authorize the Housing Authority of the County of Marin to submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of 43 Project-Based Section 8 Vouchers, as authorized by the United States Housing Act of 1937, Section 8(c)(9), as amended, to undertake a project known as **1251 South Eliseo Drive** project for the purpose of providing affordable housing.

Episcopal Community Services proposes to convert a former 43-unit skilled nursing facility on a 1.3-acre project site (APN 022-212-28) with address 1251 South Eliseo Drive in Larkspur, California, to affordable housing for currently homeless individuals and those at risk of homelessness. The project is substantial rehabilitation of the interior of the building, providing a bathroom with shower, refrigerator, and microwave in each unit. The existing commercial kitchen would be converted into a community kitchen for residents' use, while the office space will be converted into community space. A total of 9 office spaces will be created for on-site management staff and for use by community medical, behavioral health, and social service providers. One additional room would be provided for an on-site live-in resident manager, for a total of 44 rooms. The project site currently contains a surface parking lot with 41 spaces which will be resurfaced and restriped. The project will utilize approximately \$500,000 of CDBG funds for soft costs for predevelopment, materials, and construction hard costs.

Total project cost is estimated to be \$26,255,292.

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

This is to give notice that the County of Marin has conducted an evaluation as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20

Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the US HUD Project-Based Section 8 Voucher program and Community Development Block Grant/Entitlement Grant. The proposed project is located at 1251 S Eliseo Drive, Larkspur, Marin County, California. The project is rehabilitation of an existing building for use as homeless housing.

Less than .01 acres of the 1.3-acre project site is located in a 100-year floodplain, or a Special Flood Hazard Area (SFHA). Specifically, the southwest edge of the rectangular parcel is located within the AE Zone (areas subject to inundation by the 1-percent-annual-chance flood event) as indicated on a Preliminary FIRM (Panel 458 of 531 no. 06041C0458F) published by FEMA on March 16, 2016. The Preliminary FIRM is attached to this document. The southwest edge of the rectangular parcel borders an area classified by the U.S. Fish and Wildlife Service National Wetlands Inventory as estuarine, which includes tidal wetlands.

Locating the project at 1251 South Eliseo Drive as proposed would be minimally impacted by the floodplain because the entire building targeted for rehabilitation is located outside of the 100-year floodplain. Additionally, while the southwest edge of the rectangular parcel overlaps an area classified by the U.S. Fish and Wildlife Service National Wetlands Inventory as estuarine, which includes tidal wetlands, no staging or ground disturbance would occur in this area, and no wetlands would be affected.

It is the County of Marin's determination that there is no practicable alternative to locating the project on a site in which a portion is in the floodplain. This is due to: 1) the need to locate the project on land accessible to the Applicant/County; 2) the need to construct an economically feasible project; 3) the site's access to services and amenities (i.e. public transportation); 4) the ability to develop the project at the proposed site with no significant increased risk to life or property loss; and 6) the previously disturbed nature of the site and lack of natural floodplain values and functions.

Risk of loss of life and property was also considered. The project does not significantly result in increased risks because the primary and emergency access to the rehabilitated structure would occur outside of the floodplain. The project area is relatively level and thus would not expose people or structures to significant risks associated with downslope or downstream flooding or landslides. Moreover, the project sponsor undertook a site survey to evaluate the portion of the site located in Zone AE in October 2021. The survey determined that the Base Flood Elevation (BFE) of the building that would be rehabilitated is at an elevation of 9.2, not 10.0 as shown on the FIRM map. As such, the location of work is assumed to be in Zone X - 0.2 Percent Annual Chance Flood Hazard, and is not located in a Special Flood Hazard Area.

The County of Marin has reevaluated the alternatives to building in a floodplain and wetland and has determined that it has no practicable alternative. Environmental files that document compliance with Executive Order 11988 and 11990, 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 wetlands 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 wetlands and 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 County of Marin via E-mail at the following address on or before May 14, 2022: Housing and Federal Grants Division

federalgrants@marincounty.org, or by phone 415-473-7873. A copy of the Environmental Review Record can be accessed via the following URL: <https://www.onecpd.info/environmental-review/environmental-review-records> or <https://www.marincounty.org/federalgrants> under the National Environmental Policy Act (NEPA) Notices dropdown. The Environmental Review Record shall be available to view at the Marin County Civic Center by appointment. To schedule an appointment contact Community Development Agency staff at federalgrants@marincounty.org or by phone 415-473-7873.

FINDING OF NO SIGNIFICANT IMPACT

The County of Marin 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 (NEPA) of 1969 is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the County of Marin, and may be accessed via the following URL: <https://www.onecpd.info/environmental-review/environmental-review-records> or <https://www.marincounty.org/federalgrants> under the National Environmental Policy Act (NEPA) Notices dropdown. The Environmental Review Record shall be available to view at the Marin County Civic Center by appointment. To schedule an appointment contact Community Development Agency staff at federalgrants@marincounty.org or by phone 415-473-7873.

PUBLIC COMMENTS

Any individual, group or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Housing and Federal Grants Division, County of Marin, Community Development Agency, via E-mail at federalgrants@marincounty.org, or by phone 415-473-7873. All comments received on or before May 14, 2022 will be considered by the County of Marin prior to submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The County of Marin certifies to the U.S. HUD that Matthew H. Hymel, in his capacity as County Administrator of the County of Marin and in his 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 allows the County of Marin to use Program funds.

OBJECTIONS

U.S. HUD Office will accept objections to the Responsible Entity's (RE) Request for Release of Funds and Environmental 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 or other officer of the County of Marin approved by the U.S. HUD; (b) the RE has omitted a step or failed to make a determination or finding required by HUD regulations at 24 CFR Part 58 or by CEQ regulations at 40 CFR 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 participants in the development process has committed funds for or

undertaken activities not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; (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 in accordance with the required procedures (24 CFR Part 58, Section 58.75) and shall be submitted to PIH (todd.r.greene@hud.gov) and CPD (cpd_covid-19oee-sfo@hud.gov). Potential objectors should contact HUD to verify the actual last day of the objection period.

Certifying Officer: Matthew H. Hymel, County Administrator