



**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND**

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

1/8/2025

City of Muskegon  
933 Terrace Street  
Muskegon, Michigan 49440  
231-724-6724

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

**REQUEST FOR RELEASE OF FUNDS**

On or about January 24, 2025, the City of Muskegon will authorize Lofts of Muskegon LDHA LLC to submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of (8) Project-Based Section 8 Vouchers (PBVs) under Section 8(o)(13) of the Housing Act of 1937 (42 U.S.C. § 1437f(o)(13)) from the Muskegon Housing Commission (MHC), to undertake a project known as Lofts of Muskegon (proposed project) located at 122 W. Muskegon Avenue, in Muskegon, MI.

The proposed project involves the demolition of the current vacant commercial building (a former fast-food restaurant) and construction of a new four-story affordable housing building containing 46 units. The project will incorporate 47 on-site parking spaces, bike racks, stormwater detention basin and landscaping. In addition to the 8 PBVs from the MHC; the project will utilize \$1,650,000 of Low-Income Housing Tax Credits (LIHTC) from the Michigan State Housing Development Authority (MSHDA). The estimated total cost of the project is \$17 million.

**FINDING OF NO SIGNIFICANT IMPACT**

The project area has a lot of history which has resulted in contamination from its prior uses. Contaminants were found in soil and soil gas samples collected from the subject property at concentrations exceeding the Michigan Department of Environment, Great Lake, and Energy (EGLE) Part 201 Generic Cleanup Criteria and/or Volatilization to Indoor Air Pathway (VIAP) screening levels. Based on the contaminant concentrations identified, contaminated soil will need to be properly managed during redevelopment and a vapor mitigation system (VMS) will be necessary for the proposed building to protect against undue exposure through the indoor inhalation pathway. Funds are being requested to help pay for the design and installation of a vapor mitigation system and the removal and proper disposal of contaminated soil that is excavated during site demolition and the construction of the complex.

The City of Muskegon has determined that the project will have no significant impact on the human environment provided the above mitigation is implemented. 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 City Clerk's office and may be examined or copied Monday through Thursday from 8:00 A.M to 5:30 P.M.





#### **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the City of Muskegon, attention: Jonathan Seyferth, City Manager, 933 Terrace Street, Muskegon, MI 49440, via email at [jonathan.seyferth@shorelinecity.com](mailto:jonathan.seyferth@shorelinecity.com) or via telephone (231) 724-6705. All comments received by January 23, 2025 will be considered by the City of Muskegon prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

#### **RELEASE OF FUNDS**

The City of Muskegon certifies to HUD that Ken Johnson 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 Muskegon to use Program funds.

#### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of fund and the City of Muskegon'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 Muskegon; (b) the City of Muskegon 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 has committed funds or incurred costs 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 Michelle King, PIH Representative, Detroit Field Office, U.S. Department of Housing and Urban Development at 477 Michigan Avenue 16th Floor, Detroit Michigan 48226. Objections can also be submitted via email at [Environmental-PublicComments@hud.gov](mailto:Environmental-PublicComments@hud.gov) . Potential Objectors should contact Michelle King via telephone at : 313.234.7397 or by email at [Michelle.d.king@hud.gov](mailto:Michelle.d.king@hud.gov) to verify the actual last day of the objection.

**Ken Johnson, Mayor**

