

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
FOR TIERED PROJECTS AND PROGRAMS**

06/20/2022
Bay County, Florida
840 W 11th Street
Panama City, FL 32401
850-248-8302

On or after June 28, 2022, Bay County will submit a request to the Florida Department of Economic Opportunity (DEO) for the release of Hurricane Michael Rebuild Florida funds under Title I of the Housing and Community Development Act of 1974, as amended, to undertake the following project.

The goal of the Bay County Voluntary Home Buyout Program (Program) is to acquire occupant-owned, single-family residential properties that are in a Special Flood Hazard Area (SFHA) or in high-risk flood areas to help reduce the impact of future disasters, and to assist these property owners to relocate outside the threat of flooding. Bay County has been awarded \$4,411,777 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant, Disaster Recovery (CDBG-DR) funds administered through the Florida Department of Economic Opportunity (DEO) to implement this Program. For all properties acquired by Bay County through the Program, a restrictive covenant, in perpetuity, prohibiting any future redevelopment of the parcel shall be recorded upon closing the transaction.

The Program will allow Bay County to take ownership of eligible applicant properties, demolish structures and other improvements, and encumber the properties with perpetual legal covenants/deed restrictions that prevent future noncompliant development. The property acquired, accepted, or from which structures are removed will carry a permanent deed restriction requiring the property be maintained as undeveloped and unimproved green space, or floodplain or wetlands management purposes. This program is expected to assist approximately 17 households that could be geographically spread throughout the county.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the Tier 1 broad review for each address under this program when addresses become known. This Program is Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at § 58.5: (4)(ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site. The Tier 2 Site Specific Review will cover the following laws and authorities not addressed in the Tier 1 broad review: Coastal Zone Management, Contamination and Toxics Substances, Endangered Species and Migratory Birds, and Historic Preservation.

For each of the laws and authorities listed in the tier 2 site specific review, Bay County or its assigned contractor will be responsible for obtaining proper permitting through Florida Department of Environmental Protection (FDEP) for Coastal Zone Management and hazardous material demolition and disposal. When necessary, Bay County will consult with the United States Fish and Wildlife Service (USFWS) and Florida Fish and Wildlife Conservation Commission (FWC). As the Choctaw Nation of Oklahoma and Muscogee Creek Nation will receive each individual address when they become known. If cultural materials or historic properties are discovered during demolition, work should cease immediately, and Bay County will be informed immediately. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted to Bay County for reevaluation under NEPA. Bay County or its assigned contractor will

acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.

The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 24 CFR Part 58.35(a)(3)(i). An Environmental Review Record (ERR) that documents the environmental determinations for this project is located on the Bay County website at <https://www.baycountyfl.gov/621/Disaster-Recovery-Grants>.

PUBLIC COMMENTS

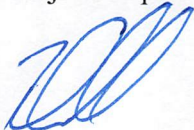
Any individual, group, or agency may submit written comments on the ERR to Bay County or DEO. Comments may be submitted to Keith Bryant, Chief Infrastructure Officer, at 840 W 11th Street, Panama City, FL 32401 or by email to engineering@baycountyfl.gov. All comments received by June 27, 2022, will be considered by Bay County prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

Bay County certifies to DEO that Robert Carroll, Certifying Officer, in his capacity Chairman, 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. DEO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Bay County to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

DEO will accept objections to its release of fund and Bay County'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 Bay County; (b) Bay County 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 DEO; 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 Florida CDBG Program, Department of Economic Opportunity, 107 East Madison Street, MSC-400, Tallahassee, Florida 32399-6508 or email CDBG-DR@deo.myflorida.com. Potential objectors should contact HUD at disaster_recovery@hud.gov to verify the actual last day of the objection period.



Robert Carroll,
Chairman, Board of County Commissioners,
Bay County, Florida, Certifying Officer