

COMBINED PUBLIC NOTICE

**NOTICE OF 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
FLOODPLAIN**

County of Orange

Date of Notice: December 31, 2021

Name of Responsible Entity: County of Orange, OC Housing & Community Development

Address: 1501 E. St. Andrew Place

City, State, Zip Code: Santa Ana, CA 92705

Telephone Number: (714) 480-2996

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

REQUEST FOR RELEASE OF FUNDS

On or about January 18, 2022, County of Orange, Housing & Community Development will submit a request to the U.S. Department of Housing and Urban Development (HUD) Office of Public and Indian Housing for the release of 40 Orange County Housing Authority (OCHA) Project-Based Housing Choice Vouchers (PBVs) consisting of 30 Project-Based Housing Choice Vouchers (PBVs) and 10 Veterans Affairs Supportive Housing Project-Based Vouchers (VASH PBVs), as authorized under Housing Opportunity Through Modernization Act of 2016 (HOTMA), to undertake a development known as Paseo Adelanto Mixed-Use Permanent Supportive Housing Project (proposed project).

The proposed project is the new construction of a mixed-use development with 50 units of affordable and permanent supportive housing, including one manager's unit. It is located at 32400 Paseo Adelanto, San Juan Capistrano, on 1.2 acres of the 5.7-acre City Hall property owned by the City of San Juan Capistrano.

Jamboree Housing Corporation, the developer, has requested 40 OCHA Housing Choice PBVs that will serve individuals and veterans experiencing homelessness earning 30% AMI or below and \$2,384,630 in Mental Health Services Act funds for the project under the County of Orange 2020 Supportive Housing Notice of Funding Availability.

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A FLOODPLAIN

This is to give notice that the County of Orange, Housing & Community Development under Part 58 has conducted an evaluation as required by Executive Order 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 HUD Housing Choice Voucher Program.

The proposed project is located at 34200 Paseo Adelanto in the City of San Juan Capistrano, Orange County.

The proposed project would be constructed on the northern 1.2 acres of the 5.7-acre City Hall property owned by the City of San Juan Capistrano. The proposed 3-story residential building is a component of the City of San Juan Capistrano's redevelopment of the subject parcels, including the construction of a new City Hall. The proposed City Hall will be constructed on 1.02 acres of the 5.7-acre City Hall property. Once completed the proposed project would provide 50 new affordable housing units, supporting housing goals outlined in the Orange County Consolidated Plan. In addition, the project area is designated as an affordable housing site in San Juan Capistrano's Housing Element. The project area is located between two regulatory floodways, Trabuco Creek and San Juan Creek. The proposed project is identified on the Federal Emergency Management Agency Flood Insurance Rate Map (Panel Number 06059 C0506J) as being within a Zone AE flood zone for being susceptible to flooding during a 100-year flood event.

The County of Orange, Housing & Community Development has considered the following alternatives and mitigation measures to be taken to minimize the adverse impacts and to restore and preserve natural and beneficial values.

Potential alternatives considered:

- 1) Undertake the project as proposed,
- 2) Consider an alternative site identified for affordable housing in the City of San Juan Capistrano's Housing Element, and
- 3) Pursue a "No Action" alternative.

Mitigation measures to minimize potential floodplain impacts (identified as Mitigation Measures 1 and 2 in the Environmental Assessment):

- 1) The project proponent shall be required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) prior to construction. To obtain a CLOMR, the project proponent would be required to demonstrate to FEMA that the site designs and associated changes to base flood elevation at the project site and surrounding parcels would meet National Flood Insurance Program Standards. Site designs shall show that the proposed building would be elevated above the 100-year floodplain and that floodplain changes are within tolerance of limits established by FEMA through the Code of Federal Regulations.
- 2) The project proponent shall be required to obtain a Letter of Map Revision (LOMR) from the FEMA following project site grading. FEMA would provide the LOMR to the project proponent after FEMA's verification that the project has been graded per approved plans. FEMA issuance of a LOMR would provide an official modification to FEMA's FIRM Map for the project site.

Reasons Why the Proposed Action Must be Located Within the Floodplain and Alternatives are Insufficient:

- a) The proposed project site is ideally situated for multifamily residential development in an area convenient to transit, commercial development, and support services. No alternative site in the vicinity offers the same combination of amenities.
- b) The site is identified in the City of San Juan Capistrano's Housing Element as an affordable housing location. Therefore, the site should be utilized to fulfill the City's affordable housing goals.
- c) The project would mitigate and minimize impacts on human health, public property, and floodplain values by site design bringing the buildings outside the floodplain and the requirement for the developer to receive a CLOMR and LOMR from FEMA.
- d) The "No Action" alternative would involve no development of the proposed project parcels, and no additional housing would be constructed to contribute towards the City of San Juan Capistrano meeting its State and Federal affordable housing obligations.

The County of Orange has reevaluated the alternatives to building in the floodplain and has determined that

it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 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 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 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 Orange County Housing & Community Development at the following address on or before January 17, 2022:

OC Housing and Community Development
Attn: Craig Fee, Community Development Manager
1501 E. St. Andrew Place, 1st Floor
Santa Ana, CA 92705

A full description of the project may also be reviewed from 8:00 a.m. to 5:00 p.m. at same address above and <https://www.ochcd.org/resources/public-notice>. Comments may also be submitted via email at liza.santos@occr.ocgov.com.

FINDING OF NO SIGNIFICANT IMPACT

The County of Orange, Housing & Community Development has determined that the development 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 OC Housing & Community Development, Attention: Craig fee, 1501 E. St. Andrew Place, 1st Floor, Santa Ana, CA 92705 or by email to liza.santos@occr.ocgov.com. The ERR can be accessed online at the following website <https://www.ochcd.org/resources/environmentals>.

PUBLIC COMMENTS ON FONSI, NOIRROF, and/or Activity in a Floodplain:

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to OC Housing & Community Development, Attention: Craig Fee, 1501 E. St. Andrew Place, 1st Floor, Santa Ana, CA 92705 or by email to liza.santos@occr.ocgov.com. All comments received by January 17, 2022, or fifteen (15) days from the actual date of publication, will be considered by the County of Orange 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 County of Orange certifies to HUD that Julia Bidwell in her capacity as Director of OC Housing & Community Development, 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 Orange to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the County of Orange 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 County of Orange; (b) the County of Orange 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 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 via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD at CPDLA@hud.gov or to HUD Los Angeles Office of Public Housing at HUDLOSANGELESOPH@hud.gov. Potential objectors should contact HUD or HUD Los Angeles Office of Public Housing via email to verify the actual last day of the objection period.

Julia Bidwell, Director
OC Housing & Community Development