



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

**Date of Notice:** April 25, 2011

**Name of Responsible Entity:** Town of Kure Beach

**Address:** 117 Settlers Lane

**City, State, Zip Code:** Kure Beach, N.C. 28449

**Telephone:** 910-458-8216

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Town of Kure Beach, N.C in relation to HUD EDI grant B-09-SP-NC-0456.

**REQUEST FOR RELEASE OF FUNDS**

At least one day after the end of the comment period the Town of Kure Beach, NC will submit a request to the HUD/Greensboro Field Office for the release of Economic Development Initiative Special Purpose grant funds under The Department of Housing and Urban Development Appropriations Act, 2009 (111-8). Activities being conducted as part the **Construction of the Ocean Front Park** for which the funds are being requested are described below. The Town intends to build a regional public park across the street from the Atlantic Ocean, located at 105 Atlantic Avenue. The park will have an open air pavilion for entertainment and educational uses, a public restroom facility, a walking path, green space, two rain gardens, a cistern for collecting rainwater to use for irrigation, a storm water infiltration system, native plantings, a tot lot play area, green features, benches and swings, and memorial pavers. The Town will replace the existing boardwalk from K to L Avenues with a newer one and plans to provide swings along the boardwalk for ocean viewing.

The Town has received commitments for \$850,000 in grants from State and Federal agencies and will finance an amount not to exceed \$600,000 for construction of this park. Total construction budget is \$1.3 million dollars. The Town expects the construction time period to be from June to December, 2011. The HUD grant funds in the amount of \$95,000 will be applied to the construction of the pavilion.

## **FINDING OF NO SIGNIFICANT IMPACT**

The Town of Kure Beach, N.C. 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) on file at the Town of Kure Beach Town Hall, located at 117 Settlers Lane, Kure Beach, N.C. 28449 and may be examined or copied weekdays 9 A.M. to 5 P.M.

## **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Town of Kure Beach Designated Officer Responsible for Receiving and Responding to Comments. All comments received by May 16, 2011 will be considered by the Town of Kure Beach, N.C. prior to authorizing submission of a request for release of funds.

## **RELEASE OF FUNDS**

The Town of Kure Beach, N.C. certifies to the HUD/Greensboro Field Office that Dean Lambeth 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. The HUD/Greensboro Field Office's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Town of Kure Beach, N.C. to use Program funds.

## **OBJECTIONS TO RELEASE OF FUNDS**

The HUD/Greensboro Field Office will accept objections to its release of funds and the Responsible Entity's (RE) 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:

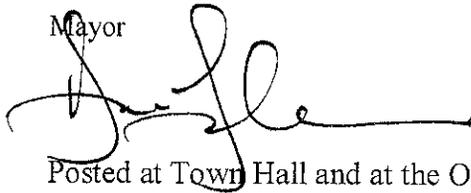
- (a) the certification was not executed by the Certifying Officer of the Town of Kure Beach, N.C.;
- (b) the RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58;
- (c) the grant recipient or other participants in the development process has committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the HUD/Greensboro Field Office; 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) and shall be addressed to:

Lenwood E. Smith, II  
US Dept. of HUD – Greensboro Field Office  
1500 Pinecroft Road, Suite 401  
Greensboro, NC 27407

Potential objectors should contact the HUD/Greensboro Field Office at 336-851-8054 to verify the actual last day of the objection period.

Dean Lambeth,  
Mayor

A handwritten signature in black ink, appearing to read 'Dean Lambeth', with a long horizontal stroke extending to the right.

Posted at Town Hall and at the Ocean Front Park site on April 27, 2011