

**ENVIRONMENTAL ASSESSMENT
FOR CDBG-FUNDED PROJECTS**

Recommended format per 24 CFR 58.36, revised January 2014
[Previously recommended EA formats are obsolete].

Project Identification: Legacy Plaza

Preparer: Heather Tykoski

Responsible Entity: City of Ludington

Month/Year: April 2020

ENVIRONMENTAL ASSESSMENT

Responsible Entity: City of Ludington

[24 CFR 58.2(a)(7)]

Certifying Officer: Mitch Foster

[24 CFR 58.2(a)(2)]

Project Name: Legacy Plaza

Project Location: N James Street Ludington, MI 49431

Estimated total project cost: \$2,359,100.00

Grant Recipient: City of Ludington

[24 CFR 58.2(a)(5)]

Recipient Address: 400 S Harrison Street

Project Representative: Heather Tykoski

Telephone Number: 231-845-6237

Conditions for Approval: (List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as requirements). [24 CFR 58.40(d), 40 CFR 1505.2(c)]

FINDING: [58.40(g)]

- Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment.)

- Finding of Significant Impact**
(The project may significantly affect the quality of the human environment.)

Preparer Signature:  **Date:** May 5, 2020
Name/Title/Agency: Heather Tykoski Community Development Director

RE Approving Official Signature:  **Date:** May 5, 2020
Name/Title/Agency: Mitch Foster City Manager

Statement of Purpose and Need for the Proposal: [40 CFR 1508.9(b)]

The need for a "town square" or gathering place in the Downtown area has been evident for several decades. In 2007, the decision was made to close the one-way street heading north from the main intersection of Downtown in order to test an area that could be used for this purpose.

Creating a gathering place in Downtown became a priority for the Downtown Ludington Board (aka the DDA) when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. The Economic impact of this type of development was supported through placemaking research.

Description of the Proposal: Include all contemplated actions, which logically are either geographically, or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25]

Project name: Legacy Plaza

Project type: Public Infrastructure

Project description:

Creating a gathering place in Downtown became a priority for the Downtown Ludington Board (aka the DDA) when it realized that this was an essential move to get more people playing,

shopping, and overall congregating in Downtown. The Economic impact of this type of development was supported through placemaking research.

The goal of this project has several components that make this a crucial development for the City of Ludington and the Downtown Area. First, this will create an event space with a permanent pavilion, year-round bathroom structure and event storage, fireplace, and a great public gathering place in the heart of Downtown Ludington. However, here is a deeper meaning to the name "Legacy Plaza" ... This area will take visitors on a walk-through Ludington's History, a way to honor the past and utilize the space adequately for present and future needs. When entering the plaza, visitors will be greeted with a nod to our maritime history. A sculpture made from parts of the Carferry, a part of the proud Maritime History of Ludington, will be the first visible nod to Ludington's identity. Next, a fireplace will become visible, the fireplace will represent the three tribes that were the first people to settle this area. The Council of the Three Fires was representative of the Ottawa, the Ojibwa, and the Potawatomi people. In meeting with the Ogemaw for the Little River Band of Ottawa Indians, Ogemaw Romanelli was very supportive of this way of honoring the past contributions of Native Americans in the Ludington Area. In addition to the fireplace, it has been learned that the Little River Band has only 3 fluent native speakers of the Ojibwa language. It is the intention to honor that language in this area as well. This will be done in close relationship with the tribe to ensure the proper respect is given. The next element honoring Ludington's past will be in the pavilion structure itself. The structure will be built with timber components to honor the vast lumbering heritage of Ludington. The north end of the plaza will be home to the relocated clock tower that was placed on Ludington Avenue in the 1980's. It will remain part of the newly renovated park and with cap off the north entrance.

With these renovations, the area will be able to house festivals and events and become a gathering place that truly speaks of Ludington's current atmosphere as well as honors it's roots. \$2,123,190.00 in CDBG funding and \$235,910.00 in Local/Private funding will be used for the construction of the plaza.

Existing Conditions and Trends: Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)]

The plaza has evolved gradually over the past 12 years, but still looks much like a road with curbing and tripping hazards. The DDA has added some tables to the area and added some concrete on the north end to make it possible to start a Farmer's Market but the area is in need of an overhaul to truly serve the community.

Plans created in 2016, and recently updated on 2019, have been shared at a variety of meetings and committees.

Statutory Checklist

Federal Laws and Authorities listed at Sec. 58.5

Project Name and Identification No.

Legacy

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
Historic Properties	X						See www.michigan.gov/shposection106 A section 106 Review has been submitted. Consultation with SHPO is underway. SHPO recommendations will be adhered to in project specifications and bidding documents.
Floodplain Management (HUD 8-step decision-making process must be used if project is located in/impacts floodplain)	X						See www.fsw.gov/ipac Not in 100 yr Floodplain. See supporting map April 21, 2020
Wetlands Protection (HUD 8-step decision-making process must be used if project is located in/impacts wetlands)	X						See www.fws.gov/wetlands/Data/Mapper.html No wetlands observed in the project area boundaries. http://www.mcqi.state.mi.us/mqdl/pdfmaps/Wetlands/CGI_Mason_prelim_wi_75136_7.pdf See attached printed version of these maps
Coastal Zone Management	X						See www.mi.gov/coastalmanagement www.fsw.gov/ipac Area is not adjacent to any coastal zone. (DEQ PIF) See DEQ map high risk erosion areas. Printed April 21, 2020
Water Quality	X						See https://geopub.epa.gov/DWWidgetApp/ See DEQ groundwater inventory mapping project -see map attached
Endangered Species	X						See www.fsw.gov/ipac This project will not disrupt any species. The project is located in an Urban area with no identifiable endangered species habitats as described in the County distribution list by FWS for Mason County. Identified species habitats are not conducive to the Urban Area, none have been spotted in this defined geographic project boundary per certifying officer. See attached list and map April 21, 2020
Wild and Scenic Rivers	X						See www.fsw.gov/ipac There are no wild or scenic rivers in the defined project boundary. See map April 21, 2020
Air Quality	X						See https://www.epa.gov/outdoor-air-quality-data/air-quality-index-report This is project will increase residential units, in an area with current residential units, the project will improve the current conditions by replacing unused upper stories and those in need of updating. See printed report 2019 printed April 21, 2020. 2020 report not available
Farmlands Protection	X						There is no farmland area in the City of Ludington. See Ludington City Zoning https://www.ludington.mi.us/229/Planning-Zoning and attached HUD worksheet for 7 CFR Part 658
Thermal/Explosive	X						There are no thermal or explosive materials on the site. See HUD worksheet, supporting documentation and email from LARA representative.
Noise Control	X						This is a Downtown public square setting. Noise will not exceed that of current conditions. There will be no change in use. Activities will not increase current noise levels. See HUD noise attenuation worksheet. This project is does not involve residential properties.

Airport Clear Zones	X							Project is not in an airport clear zone. See attached map
Contamination/Toxic Sites	X							There are no contaminated sites. See HUD Worksheet.
Environmental Justice	X							The rehabilitated area will create a much-needed gathering place in the City of Ludington. Various public meetings have been held as well as showcasing plans in City Hall.

* Attach evidence that required actions have been taken.

Statutory Checklist

Federal Laws and Authorities listed at Sec. 58.6 and
Permits, Licenses, Forms of Compliance Under Other Laws - Federal, State and Local

Project Name and Identification No. _____

Other Areas of Statutory and Regulatory Compliance Applicable to Project	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency	Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
--	--------------------------------	------------------------	------------------	-------------------	------------------------------	------------------------------	---	--

Special Requirements								
Flood Insurance - 58.6(a)	X							Not in 100 yr Floodplain. See supporting map documentation. www.masoncounty.net/departments/building/floodplain-flood-hazard-areas.html
Coastal Barriers - 58.6(c)	X							Area is not adjacent to any coastal zone. (DEQ PIF) See DEQ map high risk erosion areas.
Airport Clear Zone Notification - 58.6(d)	X							Project is not in an airport clear zone, per certifying officer. See attached HUD worksheet and map outlining distance from airport to project area is included.
Water Quality	X							The Project area is tied to city services. A copy of the City's Annual Water Quality report can be found Here: https://www.ludington.mi.us/282/Water-Treatment-Plant
Solid Waste Disposal	X							The City of Ludington has a contract for solid waste disposal With Republic Services
Fish and Wildlife	X							No impact. The Project is a renovation project in a Downtown Area. No wildlife or fish will be impacted by this project. See attached Map and endangered species listing.
Stormwater	X							The Project area is tied to city services. See attached letter.

State Statutes Use the Michigan Department of Environmental Quality's Environmental Permit Checklist to determine which, if any, state statutes apply (http://www.michigan.gov/documents/deq/deq-oea-cau-permits-eqp3580_415019_7.pdf). Document any relevant state statute compliance below.

Prepared by: Heather Tykoski Title 4/28/2020

Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	2	The project area is zoned for Commercial uses ¹
Compatibility and Urban Impact	2	The project will benefit the city by creating a gathering place and removing tripping hazards due to an old roadway in the area.
Slope	2	Project will not change the current footprint upgrades will be done and some excavation of current asphalt and concrete will be done as part of the project.
Erosion	1	Erosion control measures will be used during excavation of current concrete/asphalt and pavers and installation of new.
Soil Suitability	1	Soil will not be removed from site.
Hazards and Nuisances including Site Safety	1	All measures will be taken during construction to ensure site safety. In the long term the project will benefit the city by reinvigorating the plaza space with a new pavilion and restroom facility as well as gathering areas.
Energy Consumption	2	The project will utilize energy efficient lighting, and rain garden elements

Noise - Contribution to Community Noise Levels	1	Noise levels will not alter the Central Business District.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	Project will utilize green infrastructure such as native plants and will not contribute to or increase pollution levels
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	2	Project includes upgrading the visual character of the new plaza area as well as adding an attractive and functional pavilion for farmers markets and other events and a new bathroom structure.

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	2	Project will provide a gathering space for downtown events and activities.
Displacement	1	No displacement will occur
Employment and Income Patterns	2	Project does not involve employment.

Community Facilities

and Services	Code	Source or Documentation
Educational Facilities	1	No School in project area. Primary and Secondary Schools located within 1 mile of project area
Commercial Facilities	2	Grocery store located within 1/4 mile. Shopping and restaurants are adjacent to the site.
Health Care	1	Spectrum Health Ludington Hospital, a full-service facility, is located approximately one mile from the project area.
Social Services	1	The Salvation Army, several churches and both County and City government offices are located within 1-2 miles of the project area
Solid Waste	1	The City of Ludington has a contract for solid waste disposal with Republic Services.
Waste Water	1	The Project area is tied to city services.
Storm Water	1	The Project area is tied to city services.
Water Supply	1	The Project area is tied to city services.
Public Safety - Police	2	The City of Ludington Police Department is located within 1 miles of the project.
- Fire	1	The Ludington Fire Department is located within 1.5 miles of the project
- Emergency Medical	1	Spectrum Health Ludington Hospital, a full-service facility, is located within one mile from the project area. the area is also covered by first responders and ambulance service
Open Space and Recreation - Open Space	1	Waterfront Park is located less than 1 mile from the project area. Two other City parks are located within 2 miles of the project area. Lake Michigan and the City beach area are located within 1.5 miles of the Western Border of the project area
- Recreation	1	walking, biking, boating and fishing are all available within 2 miles of the project area. All accessible areas are public property with no entry fees.
- Cultural Facilities	1	Several cultural facilities including the Ludington Area Center for the Arts, Sandcastles Children's Museum, and the Ludington Library are located within .5 miles of the project area. The Ludington sculpture park, the North breakwater Lighthouse, and the Maritime Museum are all located within 1.5 miles of the project area
Transportation	1	The project area is serviced by Ludington Mass Transit Authority.

Natural Features	Code	Source or Documentation
Water Resources	1	The project will not affect groundwater (DEQ PIF)
Surface Water	1	Municipal storm water system will carry site water runoff.
Unique Natural Features and Agricultural Lands	1	No unique natural features or agricultural lands.
Vegetation and Wildlife	1	No Impact

Other Factors	Code	Source or Documentation
Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	1	Not in 100 yr Floodplain. See letter dated 7/8/1977 & 10/10/2007 and supporting map documentation
Coastal Barrier Resources Act/Coastal Barrier Improvement Act	1	Area is not adjacent to any coastal zone. (DEQ PIF) See DEQ map high risk erosion areas

[§58.6(c)]		
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	Project is not in an airport clear zone, per certifying office
Other Factors		

Summary of Findings and Conclusions

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9] (Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)

No project modifications and/or alternatives were necessary since it is not believed that any aspect of the project will negatively impact the environment. Any testing performed in the tiered review that shows the presence of environmental or man-made contaminants on the project site, will trigger alterations to any work specifications to completely remove, or encapsulate those contaminants so as to no longer be a danger to the health and safety of anyone in or near that specific project site.

No Action Alternative [24 CFR 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

It is not believed that any aspect of the project will negatively impact the environment. However small adjustments to proposed architectural renderings will be considered as long as each option does not violate or change any findings in this environmental review and assessment. If it were not for the CDBG funds being awarded the project would not happen. If this project were not to move forward, this gathering space construction would not be possible. The program will also help to drive additional infrastructure improvements in the central business district.

MITIGATION MEASURES RECOMMENDED [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

It is not believed that any aspect of the project will negatively impact the environment, however temporary measures include road closure and alley closures during peak construction times to accommodate vehicles as well as materials.

ADDITIONAL STUDIES PERFORMED

(Attach studies or summaries)

LIST OF SOURCES, AGENCIES AND PERSONS CONSULTED [40 CFR 1508.9(b)]

West Michigan Shoreline Regional Development Commission
ATTN: Erin Kuhn Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440

US Environmental Protection Agency
77 West Jackson Blvd.
Chicago, IL 60604

US Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Department of Technology Management and Budget
State Budget Offices
Lewis Cass Bldg, 2nd floor
320 S. Walnut Street
PO Box 30026
Lansing, MI 48913

Mason County Health Department
Health Hazards
916 Diana St.
Ludington, MI 49431

Fabian Knizacky
Mason County Courthouse
304 E. Ludington Ave.
Ludington, MI 49431

Keith E. Hernandez Director, CPD
U.S Department of Housing & Urban Development Detroit Field Office
Patrick V. McNamara Federal Building
477 Michigan Avenue 17th Floor
Detroit, MI 48226-2592

Michigan Department of Environmental Quality
Director: Liesl Eichler Clark
Constitution Hall
525 West Allegan
P.O. Box 30473
Lansing, MI 48909
Lac du Flambeau Band of Lake Superior Chippewa Indians
of the Lac du Flambeau Reservation of Wisconsin

Melinda Young, Tribal Preservation Officer
Henry Butch St. Germaine, Chairman
PO Box 67 Lac du Flambeau, WI 54538

Grand Traverse Band of Ottawa and Chippewa Indians
Chairperson: Thurlow Samuel McClellan
2605 N. W. Bayshore Dr.
Suttons Bay, MI 49682

Little River Band of Ottawa Indians
Ogema: Larry Romanelli
THPO: Jay Sam
2608 Government Center Dr.
Manistee, MI 49660

Little Traverse Bay Bands of Odawa Indians
Chairperson: Regina Gasco-Bentley
THPO: Wesley Andrews
Government Center
7500 Odawa Circle
Harbor Springs, MI 49740

Sault Ste. Marie Tribe of Chippewa Indians
Chair: Aaron Payment
Cultural Repatriation Specialist: Colleen Medicine
523 Ashmun St.
Sault Ste. Marie, MI 49783

Menominee Indian Tribe of Wisconsin
Chairwoman: Joan Delabreau
Tribal Historic Preservation Officer: David Grignon
PO Box 910
Keshena, WI 54135-0910

Miami Tribe of Oklahoma
Chief: Douglas Lankford
THPO: Diane Hunter
PO Box 1326 Miami, OK 74355

Red Lake Band of Chippewa Indians, Minnesota
Chairperson: Darrell Seki
THPO: Kade Ferris
PO Box 274
Red Lake, MN 56671

9&10 NEWS

1 Broadcast Way
CADILLAC, MI 49601

WPBN-WTOM
TV 7&4
8513 East Traverse Hwy
Traverse City, MI 49685

Synergy Media Inc.
5941 W US 10
Ludington, MI 49431

Ludington Daily News
Attn: David Bossick, Editor
202 N Rath Ave.
Ludington, MI 49431

STATE HISTORIC PRESERVATION OFFICE Application for Section 106 Review

SHPO Use Only			
<input type="checkbox"/> IN	Received Date ____ / ____ / ____	Log In Date ____ / ____ / ____	
<input type="checkbox"/> OUT	Response Date ____ / ____ / ____	Log Out Date ____ / ____ / ____	
	Sent Date ____ / ____ / ____		

Submit one copy for each project for which review is requested. This application is required. Please type. Applications must be complete for review to begin. Incomplete applications will be sent back to the applicant without comment. Send only the information and attachments requested on this application. Materials submitted for review cannot be returned. Due to limited resources we are unable to accept this application electronically.

I. GENERAL INFORMATION

THIS IS A NEW SUBMITTAL THIS IS MORE INFORMATION RELATING TO ER#

- a. Project Name: N James Street Legacy Plaza
- b. Project Address (if available): 327 S James Street
- c. Municipal Unit: City of Ludington County: Mason
- d. Federal Agency, Contact Name and Mailing Address (If you do not know the federal agency involved in your project please contact the party requiring you to apply for Section 106 review, not the SHPO, for this information.): Department of Housing and Urban Development, Community Planning and Development
McNamara Federal Building 477 Michigan Avenue, Detroit, MI 48226 Carmen E. Reveron, HUD Detroit Area Office, 313-226-7900 ext 8194 | Carmen.e.reveron@hud.gov,
- e. State Agency (if applicable), Contact Name and Mailing Address: Madelaine Clapp
- f. Senior Program Specialist (CDBG) Michigan Economic Development Corporation 300 N. Washington Square
Lansing, MI 48913 Office: 517.335.0109 clappm1@michigan.org
- g. Consultant or Applicant Contact Information (if applicable) *including mailing address*: Heather LV Tykoski, 400 S Harrison Street Ludington, MI 49431 231.758.0269 htykoski@ci.ludington.mi.us

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY? YES NO (If no, proceed to section III.)

Precise project location map (preferably USGS 7.5 min Quad with quad name, date, and location) with previously recorded archaeological sites visible (this site information is available to qualified archaeologists at the SHPO Office) Portions, photocopies of portions, and electronic USGS maps are acceptable as long as the location is clearly marked.

- a. USGS Quad Map Name: Ludington Quadrangle Michigan-Mason Co. 7.5 Minute Series) Topographic)
- b. Township: 18N Range: 18W Section: 15
- c. Site plan showing limits of proposed excavation. Description of width, length and depth of proposed ground disturbing activity:
- d. Previous land use and disturbances: the area was previously a two way local street. It was remodeled and repurposed into a one way street with some parking, then was closed and made into a public plaza area.
- e. Current land use and conditions: Public Plaza area with concrete and pavers, trees, some grass, public restrooms.
- f. Did you check the State Archaeological Site Files located at the SHPO? YES NO

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Note: Every project has an APE.

- a. Provide a detailed written description of the project (plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc. cannot be substituted for the written description):

- b. Provide a localized map indicating the location of the project; road names must be included and legible.
- c. On the above-mentioned map, identify the APE.
- d. Provide a written description of the APE (physical, visual, auditory, and sociocultural), the steps taken to identify the APE, and the justification for the boundaries chosen. the APE will include the previous roadway bordered by Ludington Avenue on the south and Court street on the North. It also includes the adjacent buildings/businesses to this area; 102 W Ludington Ave., 110 N James Street, 106 N James Street, and 101 E Ludington Ave. These buildings/properties abutt the area that will be under construction.

IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a. List and date all properties 50 years of age or older located in the APE. The Section 106 Above-Ground Resources inventory form is the preferred format for providing this information and a completed form should be included as an attachment to this application. If the property is located within a National Register eligible, listed or local district it is only necessary to identify the district: 327 S James Street
- b. Describe the steps taken to identify whether or not any historic properties exist in the APE and include the level of effort made to carry out such steps: No Historic Districts exist in this area, no properties are listed on the State or Federal register of historic places that are a part of or adjacent to the APE properties. The Register of Historic places (Federal and State) do not contain any properties listed or adjacent to the APE.
- c. Based on the information contained in "b", please choose one:
- Historic Properties Present in the APE
- No Historic Properties Present in the APE
- d. Describe the condition, previous disturbance to, and history of any historic properties located in the APE: This building has been under extensive repairs since the purchase in 2014. The Commercial spaces have been completely remodeled and the upper floor has been completely gutted with some fire separation work started on the south side.
-

V. PHOTOGRAPHS

Note: All photographs must be keyed to a localized map.

- a. Provide photographs of the site itself.
- b. Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable).
-

VI. DETERMINATION OF EFFECT

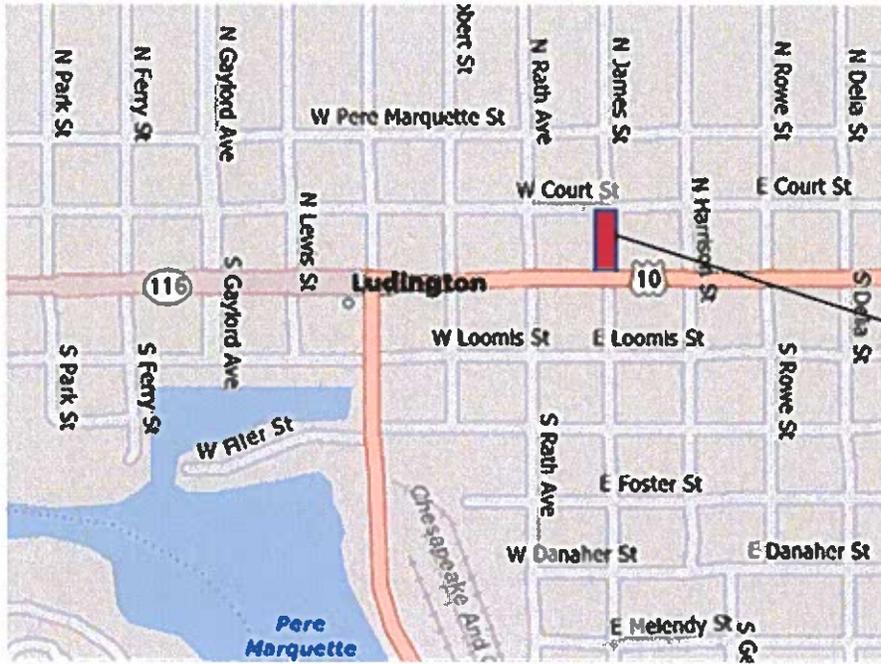
Note: you must provide a statement explaining/justifying your determination. Include statement as an attachment if necessary.

- No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination.
- No Adverse Effect [36 CFR § 800.5(b)] on historic properties, explain why the criteria of adverse effect, 36 CFR Part 800.5(a)(1), were found not applicable.
- Adverse Effect [36 CFR § 800.5(d)(2)] on historic properties, explain why the criteria of adverse effect, [36 CFR Part 800.5(a)(1)], were found applicable.

***Please print and mail completed form and required information to:
State Historic Preservation Office, Cultural Resources Management Section
Michigan Economic Development Corporation
300 North Washington Square, Lansing, MI 48913***

N James Street/ Legacy Plaza

Map of APE

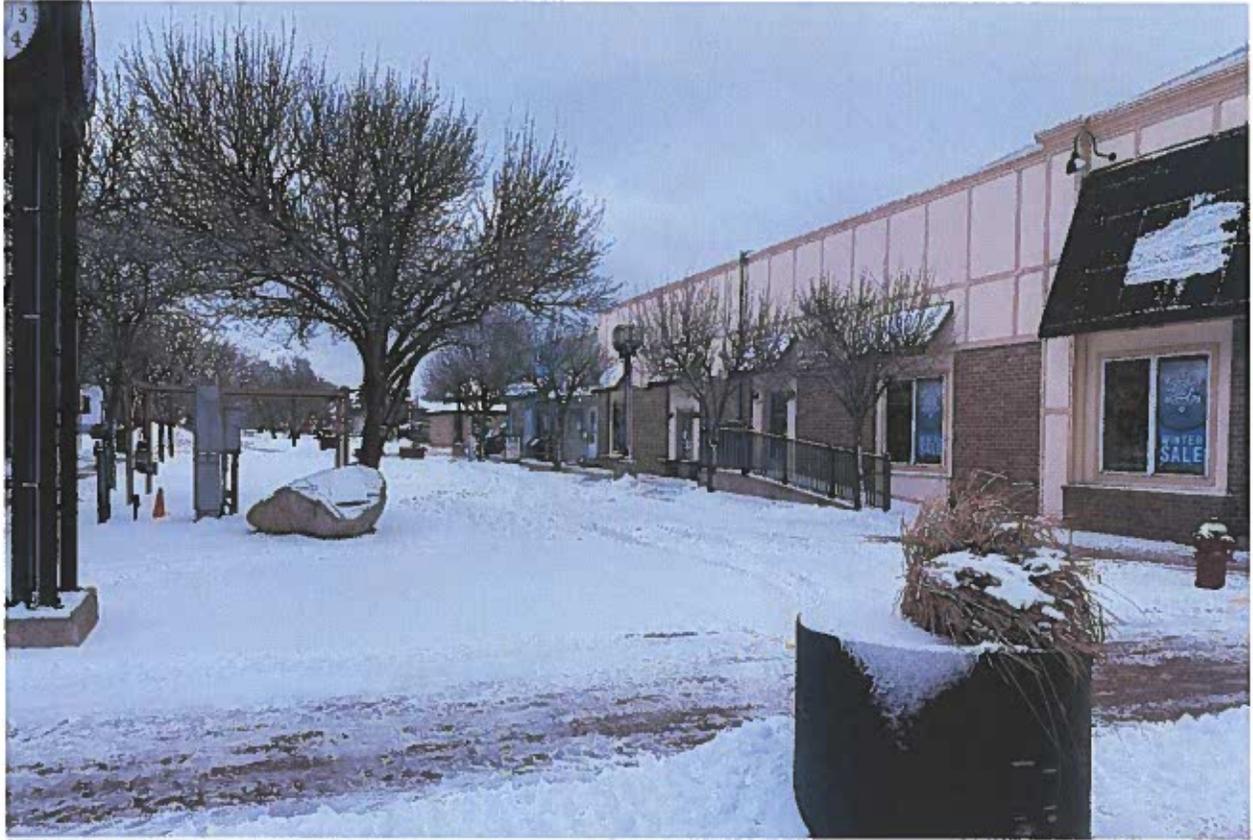


APE: N James Street/Legacy Plaza, 102 W Ludington Ave, 110 N James Street, 106 N James Street, and 101 E Ludington Ave

James Street/Legacy Plaza Area photos













STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

West Michigan Shoreline Regional Development Commission
ATTN: Erin Kuhn, Executive Director
P.O. Box 387
Muskegon, MI 49443-0387

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director

Heather Tykoski

From: Kuhn, Erin <EKuhn@wmsrdc.org>
Sent: Monday, April 13, 2020 3:02 PM
To: Heather Tykoski
Subject: RE: Letters for upcoming grant projects

Thanks Heather.

Erin Kuhn, Executive Director
WMSRDC
316 Morris Avenue, Suite 340
Muskegon, MI 49440
231-722-7878 extension 18

From: Heather Tykoski [mailto:htykoski@ci.ludington.mi.us]
Sent: Monday, April 13, 2020 2:52 PM
To: Kuhn, Erin
Subject: Letters for upcoming grant projects

WARNING: This email originated outside of the Muskegon County email system!
DO NOT CLICK links if the sender is unknown.
NEVER provide your User ID or Password.

Hi Erin,

I appears I put an incorrect address on letters I sent to you regarding 2 upcoming CDBG projects in the City of Ludington. I am attaching those here for your comment. I will also re- mail the originals that were returned.

Thank you!



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTONMI.GOV

April 14, 2020

West Michigan Shoreline Regional Development Commission
ATTN: Erin Kuhn, Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

US Environmental Protection Agency
77 West Jackson Blvd.
Chicago, IL 60604

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

US Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Department of Technology Management and Budget
State Budget Offices
Lewis Cass Bldg, 2nd floor
320 S. Walnut Street
PO Box 30026
Lansing, MI 48913

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Mason County Health Department
Health Hazards
916 Diana St.
Ludington, MI 49431

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Fabian Knizacky
Mason County Courthouse
304 E. Ludington Ave.
Ludington, MI 49431

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Keith E. Hernandez Director, CPD
U.S Department of Housing & Urban Development Detroit Field Office
Patrick V. McNamara Federal Building
477 Michigan Avenue 17th Floor
Detroit, MI 48226-2592

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Michigan Department of Environmental Quality
Director: Liesl Eichler Clark
Constitution Hall
525 West Allegan
P.O. Box 30473
Lansing, MI 48909

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Lac du Flambeau Band of Lake Superior Chippewa Indians
of the Lac du Flambeau Reservation of Wisconsin
Melinda Young, Tribal Preservation Officer
Henry Butch St. Germaine, Chairman
PO Box 67 Lac du Flambeau, WI 54538

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON.MI.GOV

March 25, 2020

Grand Traverse Band of Ottawa and Chippewa Indians
Chairperson: Thurlow Samuel McClellan
2605 N. W. Bayshore Dr.
Suttons Bay, MI 49682

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Little River Band of Ottawa Indians
Ogema: Larry Romanelli
THPO: Jay Sam
2608 Government Center Dr.
Manistee, MI 49660

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Little Traverse Bay Bands of Odawa Indians
Chairperson: Regina Gasco-Bentley
THPO: Wesley Andrews
Government Center
7500 Odawa Circle
Harbor Springs, MI 49740

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Sault Ste. Marie Tribe of Chippewa Indians
Chair: Aaron Payment
Cultural Repatriation Specialist: Colleen Medicine
523 Ashmun St.
Sault Ste. Marie, MI 49783

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Menominee Indian Tribe of Wisconsin
Chairwoman: Joan Delabreau
Tribal Historic Preservation Officer: David Grignon
PO Box 910
Keshena, WI 54135-0910

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Miami Tribe of Oklahoma
Chief: Douglas Lankford
THPO: Diane Hunter
PO Box 1326 Miami, OK 74355

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director

Heather Tykoski

From: Heather Tykoski
Sent: Thursday, April 30, 2020 4:50 PM
To: Diane Hunter
Subject: RE: City of Ludington Downtown Rental Rehab Project – Comments of the Miami Tribe of Oklahoma
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Ms. Hunter,

Attached please find additional information on ground disturbing activity that will take place as a result of one of the two grant projects we had sent information to you on originally. Please let me know if additional information is required. We are fully willing and able to provide any additional documentation when we have it and the results of any soil testing when that work can be completed. The Little River Band of Ottawa Indians have been working closely on this project with us and will be present at our ground breaking (when we get to that point). Should anything be discovered during this process we would immediately be in contact with you and any and all tribes that have the Ludington area as a part of their homelands.

Thank you again for your input.
This information will also be mailed to you.

We appreciate your willingness to comment and be a part of this process.

From: Diane Hunter <dhunter@miamination.com>
Sent: Wednesday, April 15, 2020 9:41 AM
To: Heather Tykoski <htykoski@ci.ludington.mi.us>
Subject: FW: City of Ludington Downtown Rental Rehab Project – Comments of the Miami Tribe of Oklahoma

The attached should come through this time. Let me know if it doesn't.

Diane Hunter
Tribal Historic Preservation Officer
Miami Tribe of Oklahoma
918-541-8966
dhunter@miamination.com

From: Diane Hunter <dhunter@miamination.com>
Date: Wednesday, April 15, 2020 at 9:16 AM
To: "htykoski@ci.ludington.mi.us" <htykoski@ci.ludington.mi.us>
Subject: City of Ludington Downtown Rental Rehab Project – Comments of the Miami Tribe of Oklahoma

Dear Ms. Tykoski:
Attached you will find the response of the Miami Tribe of Oklahoma to the above-referenced project.

Diane Hunter
Tribal Historic Preservation Officer
Miami Tribe of Oklahoma
dhunter@miamination.com



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

April 30, 2019

RE: City of Ludington Grant Projects

Enclosed please find the enclosed documents for your review per your letter regarding our upcoming grant assisted projects. One of the projects in question will include ground disturbing activity.

Please contact me with any questions regarding the enclosed notice. I can be reached at 231-845-6237 or htykoski@ci.ludington.mi.us.

Thank you,

Heather L-V Tykoski
Community Development Director
City of Ludington

On the Shores of Lake Michigan



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



Via email: htykoski@ci.ludington.mi.us

Heather L-V Tykoski
City of Ludington
Community Development Department
400 S. Harrison St.
Ludington, MI 49431

Re: City of Ludington Downtown Rental Rehab Project – Comments of the Miami Tribe of Oklahoma

Dear Ms. Tykoski:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

Thank you for informing us of the planned CDBG projects in Ludington, Michigan. I have reviewed the information provided, and for all projects that involve ground disturbance, I request additional notification with specific details of the project, including project description, location information, maps, and any archaeological reports conducted at the site. I have no further need to consult on any of the projects that do not involve any ground disturbance.

As Ludington, Michigan is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of any of these projects, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

Respectfully,

Diane Hunter

Diane Hunter
Tribal Historic Preservation Officer

STATE HISTORIC PRESERVATION OFFICE Application for Section 106 Review

SHPO Use Only					
<input type="checkbox"/>	IN	Received Date ____ / ____ / ____		Log In Date ____ / ____ / ____	
<input type="checkbox"/>	OUT	Response Date ____ / ____ / ____		Log Out Date ____ / ____ / ____	
		Sent Date ____ / ____ / ____			

Submit one copy for each project for which review is requested. This application is required. Please type. Applications must be complete for review to begin. Incomplete applications will be sent back to the applicant without comment. Send only the information and attachments requested on this application. Materials submitted for review cannot be returned. Due to limited resources we are unable to accept this application electronically.

I. GENERAL INFORMATION

THIS IS A NEW SUBMITTAL THIS IS MORE INFORMATION RELATING TO ER#

- a. Project Name: N James Street Legacy Plaza
- b. Project Address (if available): 327 S James Street
- c. Municipal Unit: City of Ludington County: Mason
- d. Federal Agency, Contact Name and Mailing Address (If you do not know the federal agency involved in your project please contact the party requiring you to apply for Section 106 review, not the SHPO, for this information.): Department of Housing and Urban Development, Community Planning and Development McNamara Federal Building 477 Michigan Avenue, Detroit, MI 48226 Carmen E. Reveron, HUD Detroit Area Office, 313-226-7900 ext 8194 | Carmen.e.reveron@hud.gov,
- e. State Agency (if applicable), Contact Name and Mailing Address: Madelaine Clapp
- f. Senior Program Specialist (CDBG) Michigan Economic Development Corporation 300 N. Washington Square Lansing, MI 48913 Office: 517.335.0109 clappm1@michigan.org
- g. Consultant or Applicant Contact Information (if applicable) *including mailing address*: Heather LV Tykoski, 400 S Harrison Street Ludington, MI 49431 231.758.0269 htykoski@ci.ludington.mi.us

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY? YES NO (If no, proceed to section III.)

Precise project location map (preferably USGS 7.5 min Quad with quad name, date, and location) with previously recorded archaeological sites visible (this site information is available to qualified archaeologists at the SHPO Office) Portions, photocopies of portions, and electronic USGS maps are acceptable as long as the location is clearly marked.

- a. USGS Quad Map Name: Ludington Quadrangle Michigan-Mason Co. 7.5 Minute Series) Topographic)
- b. Township: 18N Range: 18W Section: 15
- c. Site plan showing limits of proposed excavation. Description of width, length and depth of proposed ground disturbing activity:
- d. Previous land use and disturbances: the area was previously a two way local street. It was remodeled and repurposed into a one way street with some parking, then was closed and made into a public plaza area.
- e. Current land use and conditions: Public Plaza area with concrete and pavers, trees, some grass, public restrooms.
- f. Did you check the State Archaeological Site Files located at the SHPO? YES NO

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Note: Every project has an APE.

- a. Provide a detailed written description of the project (plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc. cannot be substituted for the written description):

- b. Provide a localized map indicating the location of the project; road names must be included and legible.
- c. On the above-mentioned map, identify the APE.
- d. Provide a written description of the APE (physical, visual, auditory, and sociocultural), the steps taken to identify the APE, and the justification for the boundaries chosen. the APE will include the previous roadway bordered by Ludington Avenue on the south and Court street on the North. It also includes the adjacent buildings/businesses to this area; 102 W Ludington Ave., 110 N James Street, 106 N James Street, and 101 E Ludington Ave. These buildings/properties abutt the area that will be under construction.

IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a. List and date **all** properties 50 years of age or older located in the APE. **The Section 106 Above-Ground Resources inventory form is the preferred format for providing this information and a completed form should be included as an attachment to this application.** If the property is located within a National Register eligible, listed or local district it is only necessary to identify the district: 327 S James Street
- b. Describe the steps taken to identify whether or not any **historic** properties exist in the APE and include the level of effort made to carry out such steps: No Historic Districts exist in this area, no properties are listed on the State or Federal register of historic places that are a part of or adjacent to the APE properties. The Register of Historic places (Federal and State) do not contain any properties listed or adjacent to the APE.
- c. Based on the information contained in "b", please choose one:
- Historic Properties Present in the APE
- No Historic Properties Present in the APE
- d. Describe the condition, previous disturbance to, and history of any historic properties located in the APE: This building has been under extensive repairs since the purchase in 2014. The Commercial spaces have been completely remodeled and the upper floor has been completely gutted with some fire separation work started on the south side.
-

V. PHOTOGRAPHS

Note: All photographs must be keyed to a localized map.

- a. Provide photographs of the site itself.
- b. Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable).
-

VI. DETERMINATION OF EFFECT

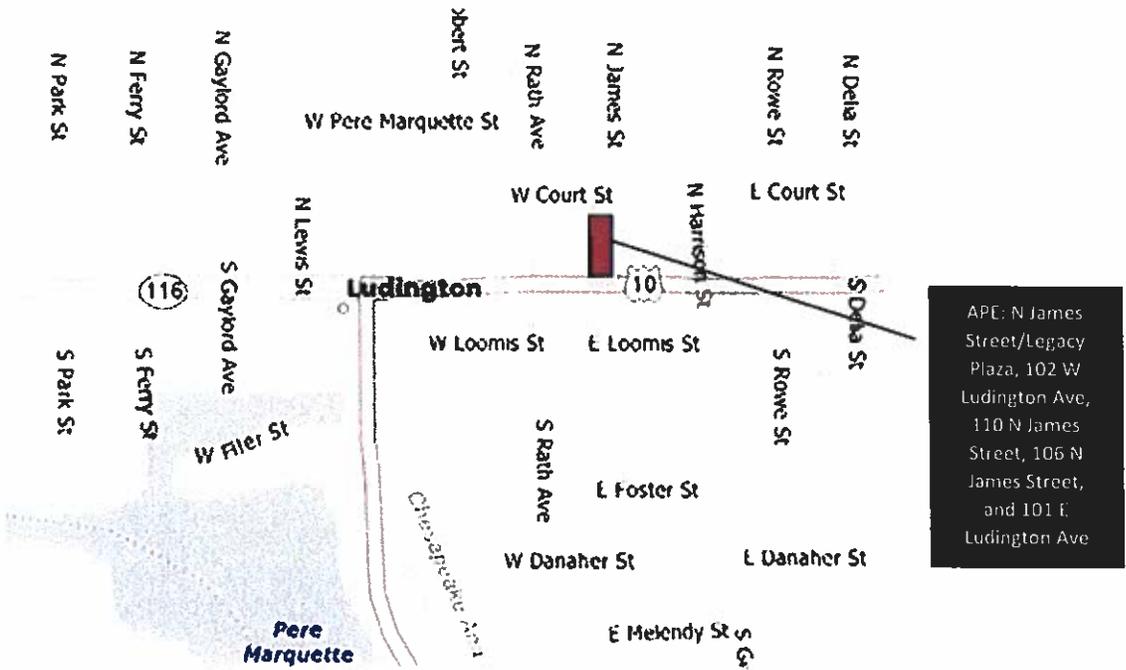
Note: you must provide a statement explaining/justifying your determination. Include statement as an attachment if necessary.

- No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination.
- No Adverse Effect [36 CFR § 800.5(b)] on historic properties, explain why the criteria of adverse effect, 36 CFR Part 800.5(a)(1), were found not applicable.
- Adverse Effect [36 CFR § 800.5(d)(2)] on historic properties, explain why the criteria of adverse effect, [36 CFR Part 800.5(a)(1)], were found applicable.

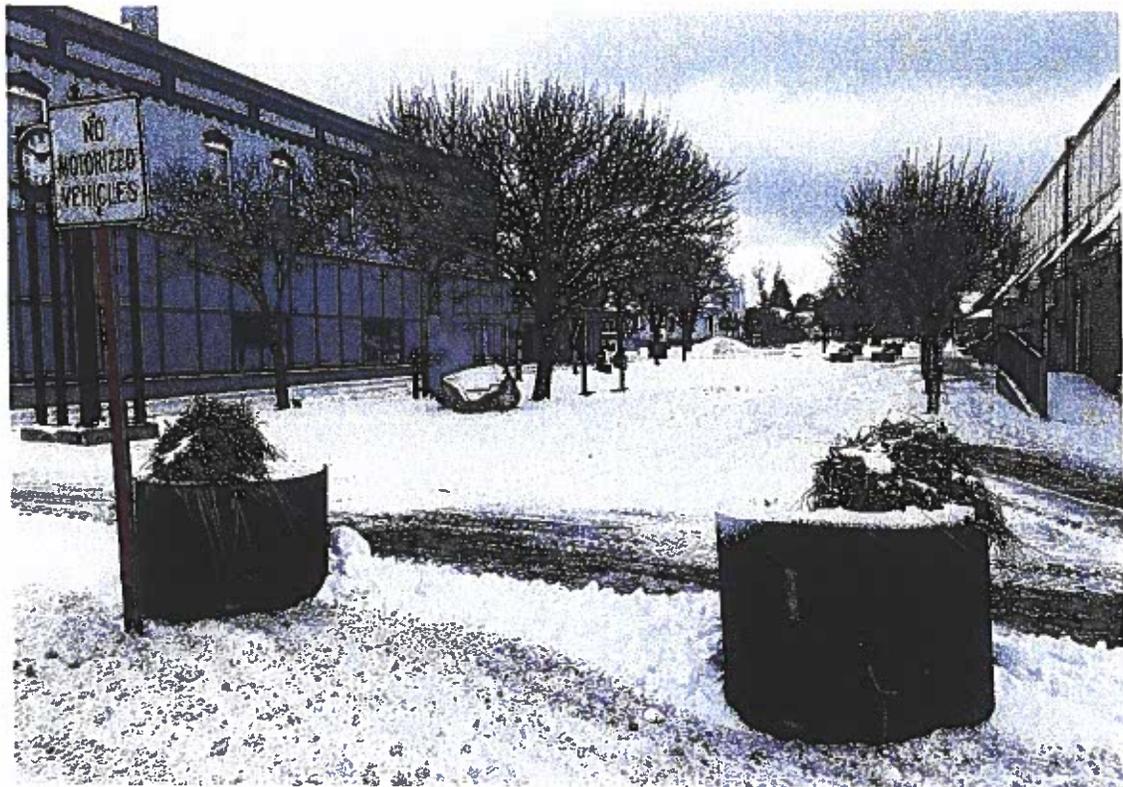
***Please print and mail completed form and required information to:
State Historic Preservation Office, Cultural Resources Management Section
Michigan Economic Development Corporation
300 North Washington Square, Lansing, MI 48913***

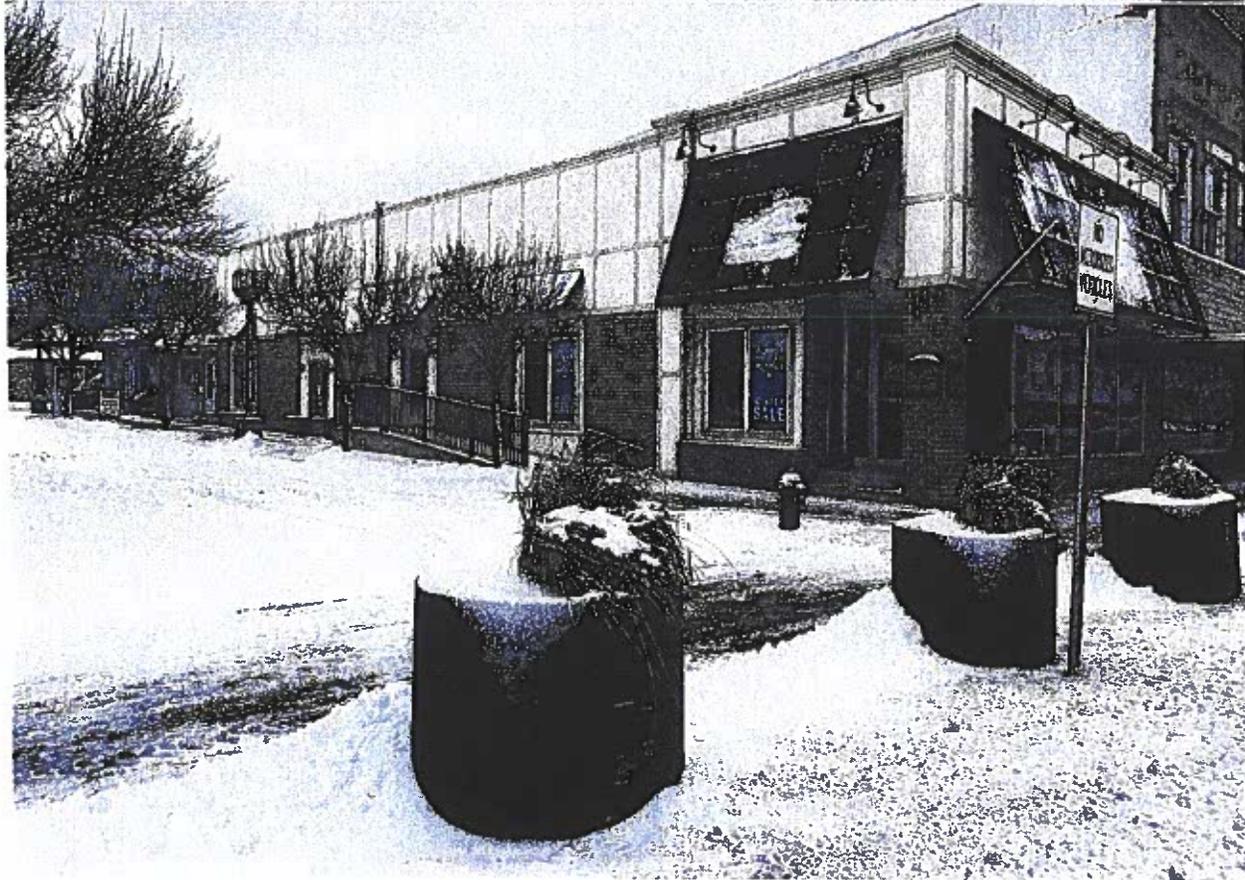
N James Street/ Legacy Plaza

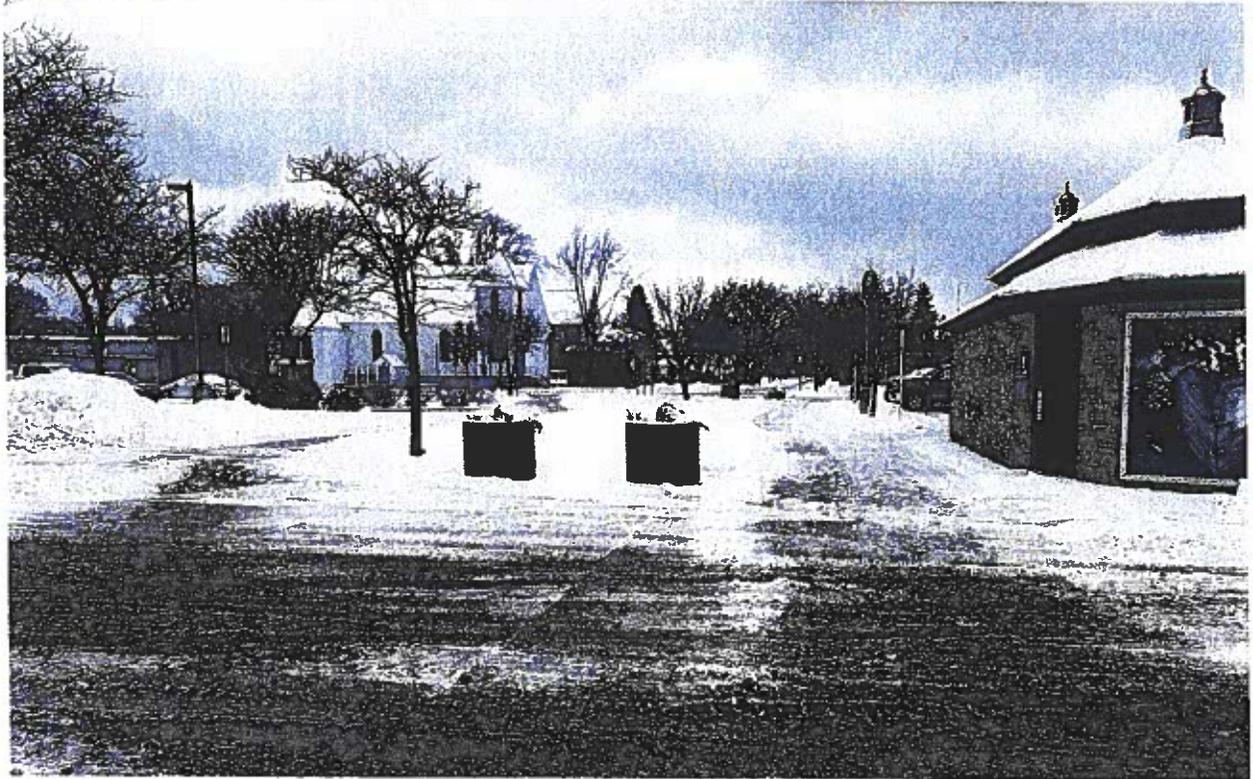
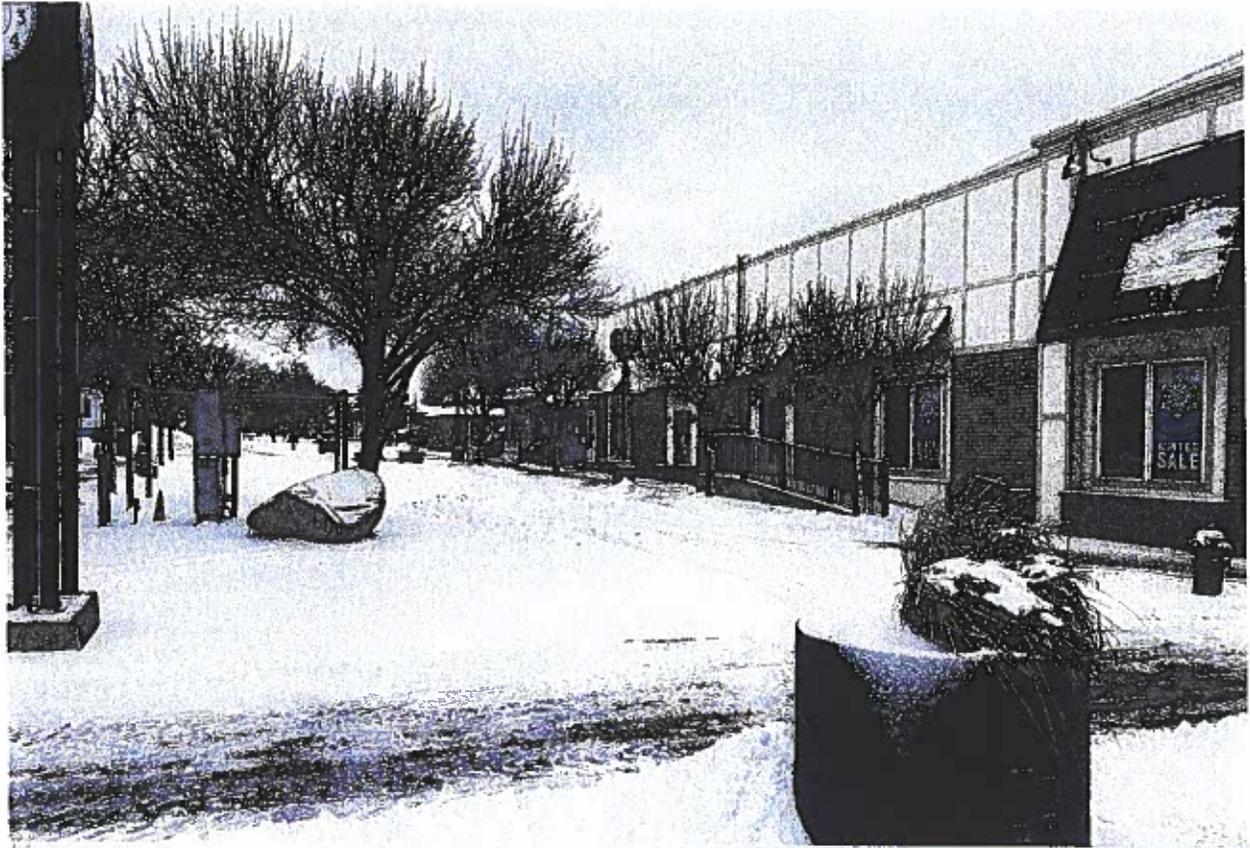
Map of APE

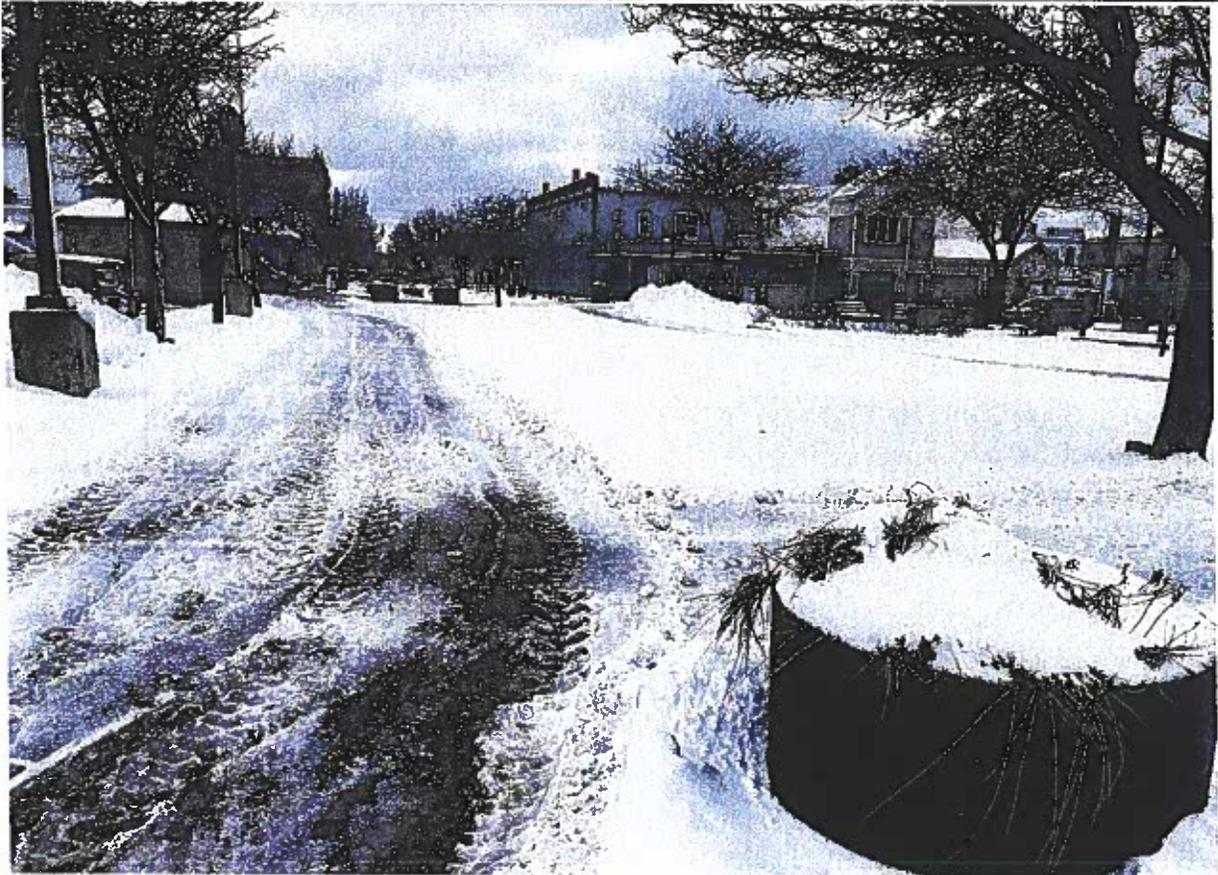


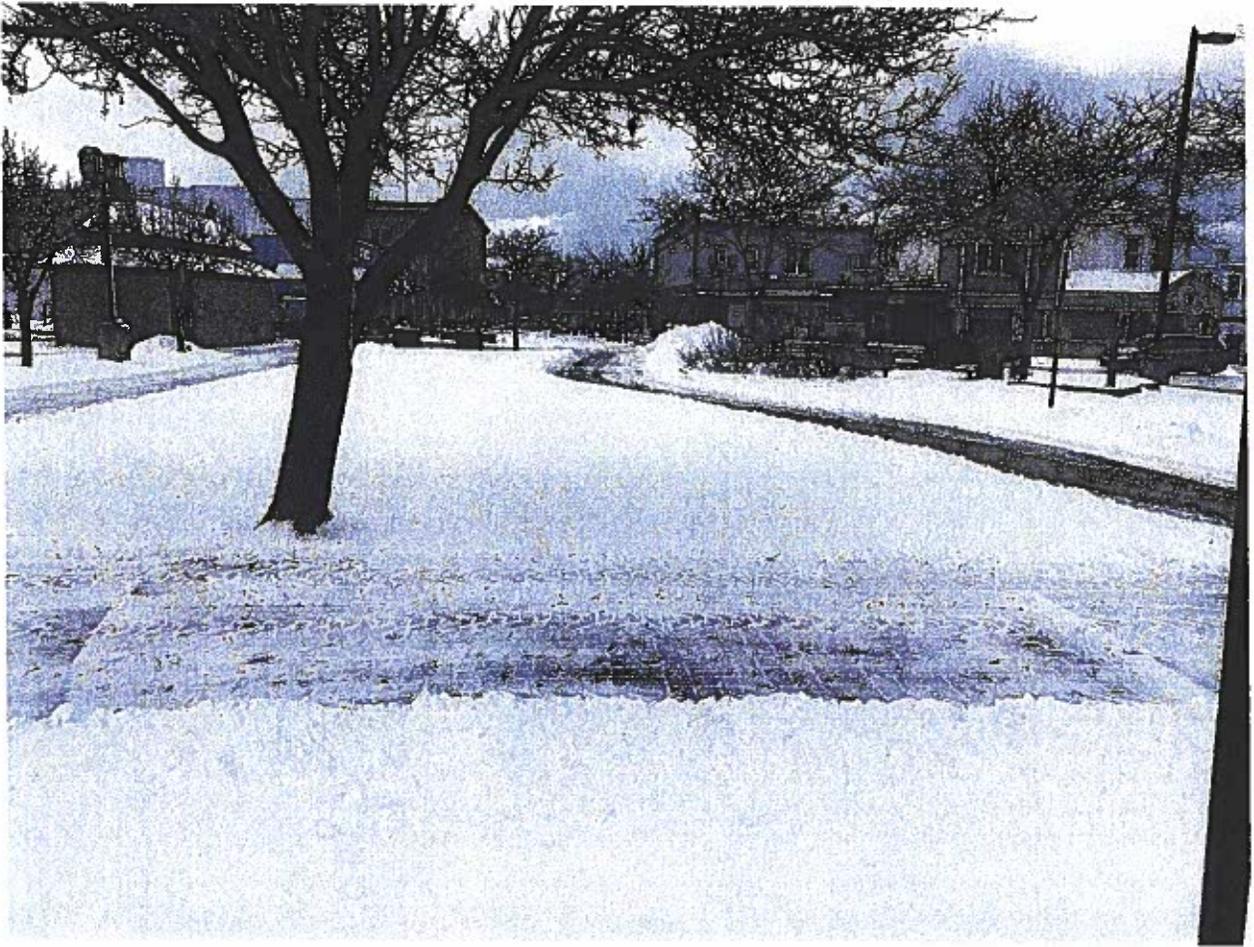
James Street/Legacy Plaza Area photos





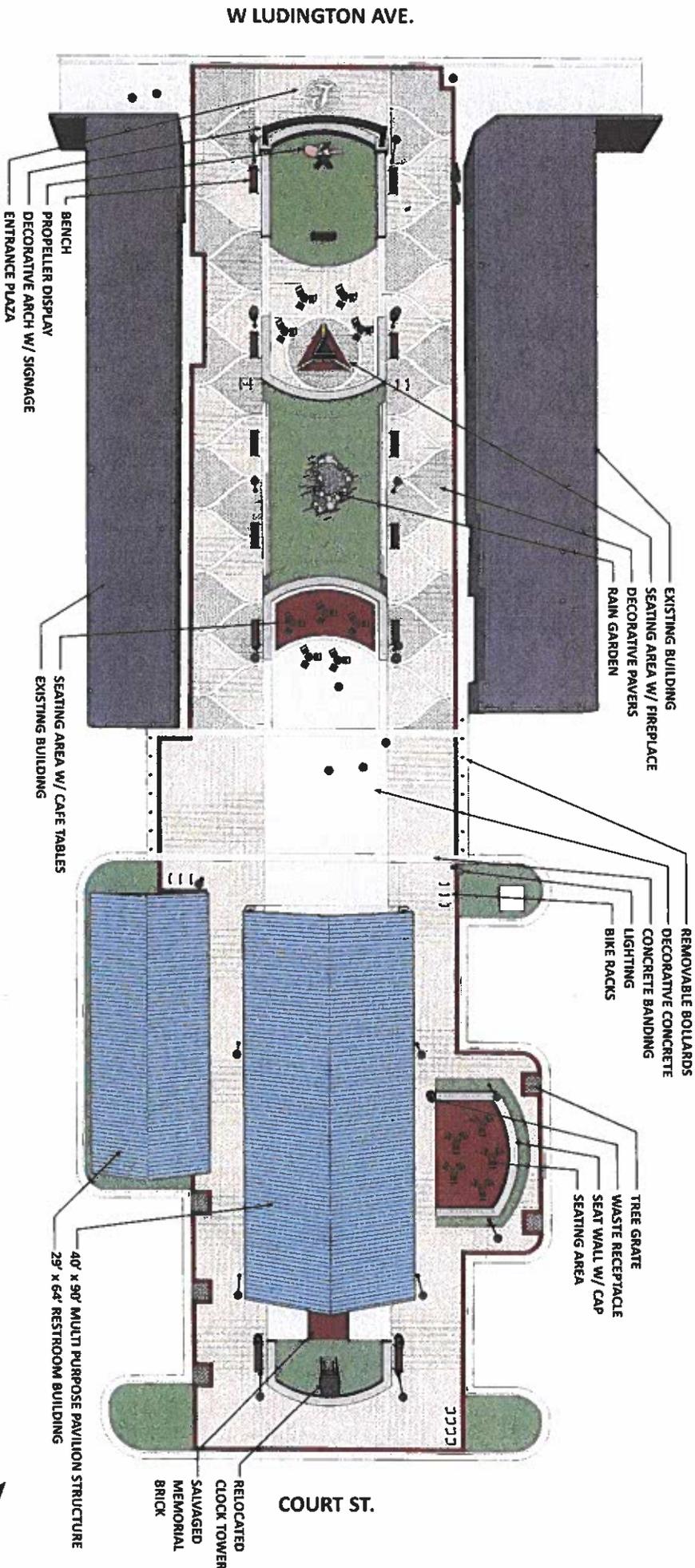






CITY OF LUDINGTON

LEGACY PARK - CONCEPT PLAN



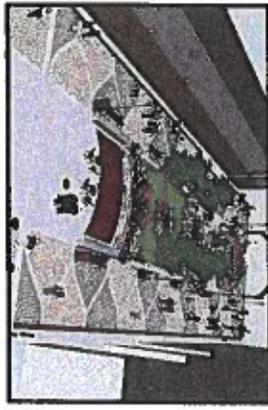
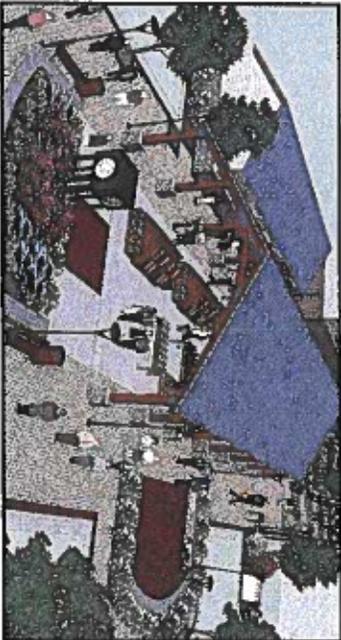
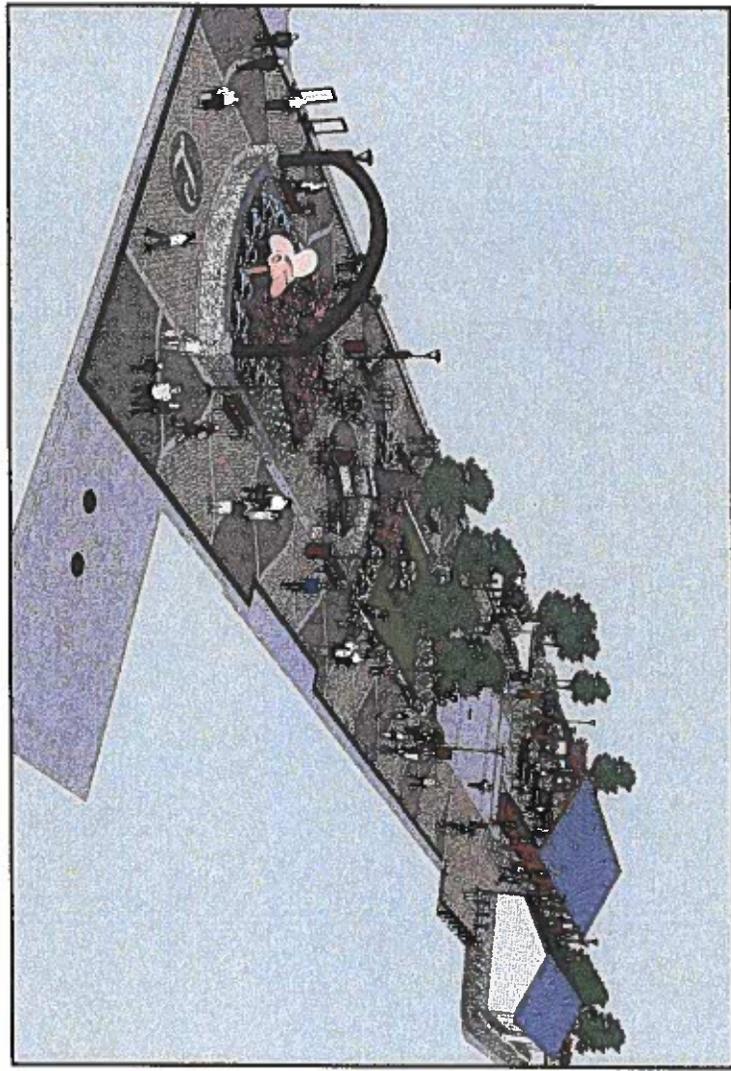
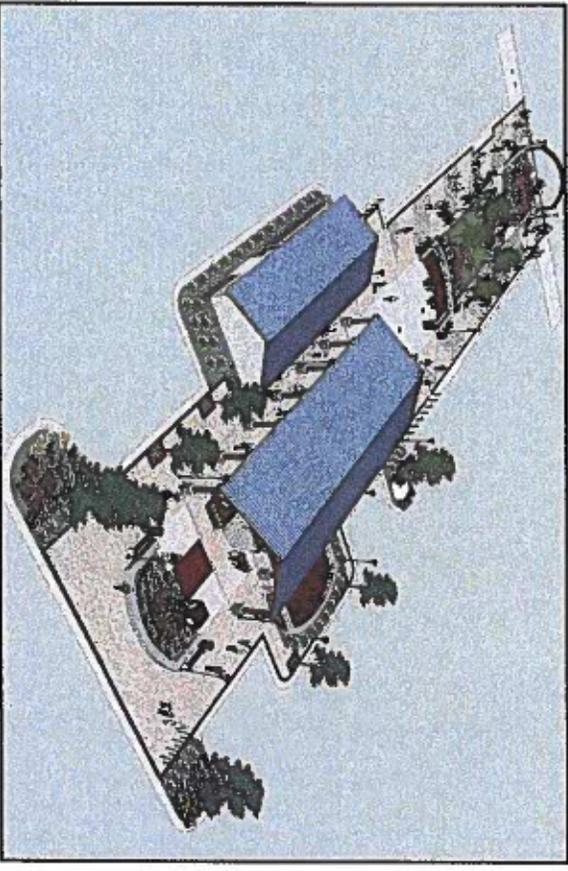
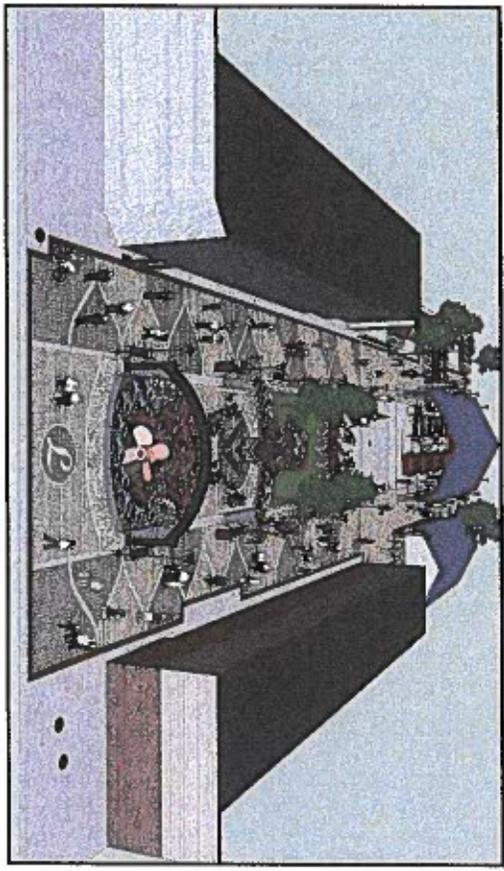
*LANDSCAPING NOT SHOWN FOR CLARITY

Prein&Newhof



CITY OF LUDINGTON

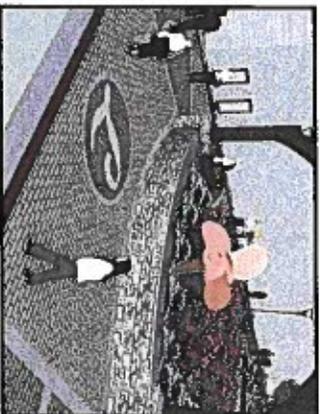
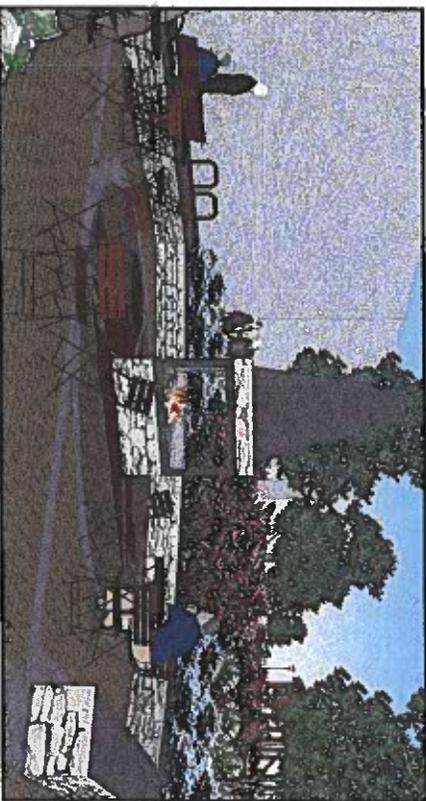
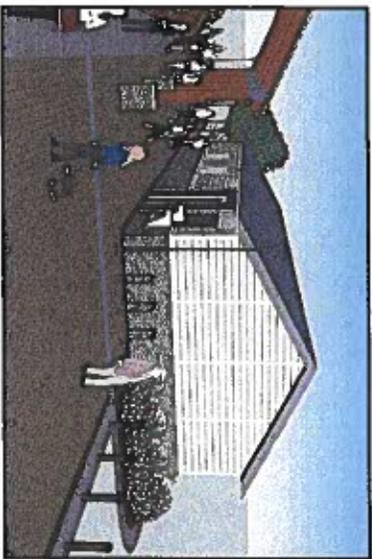
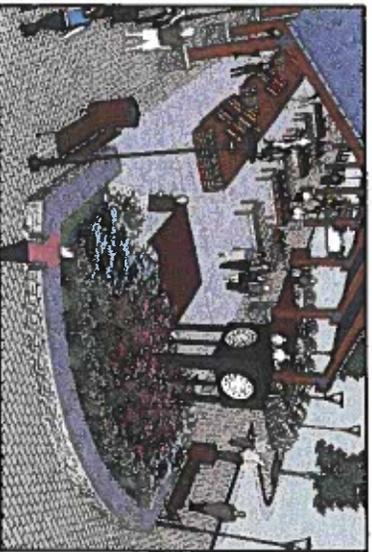
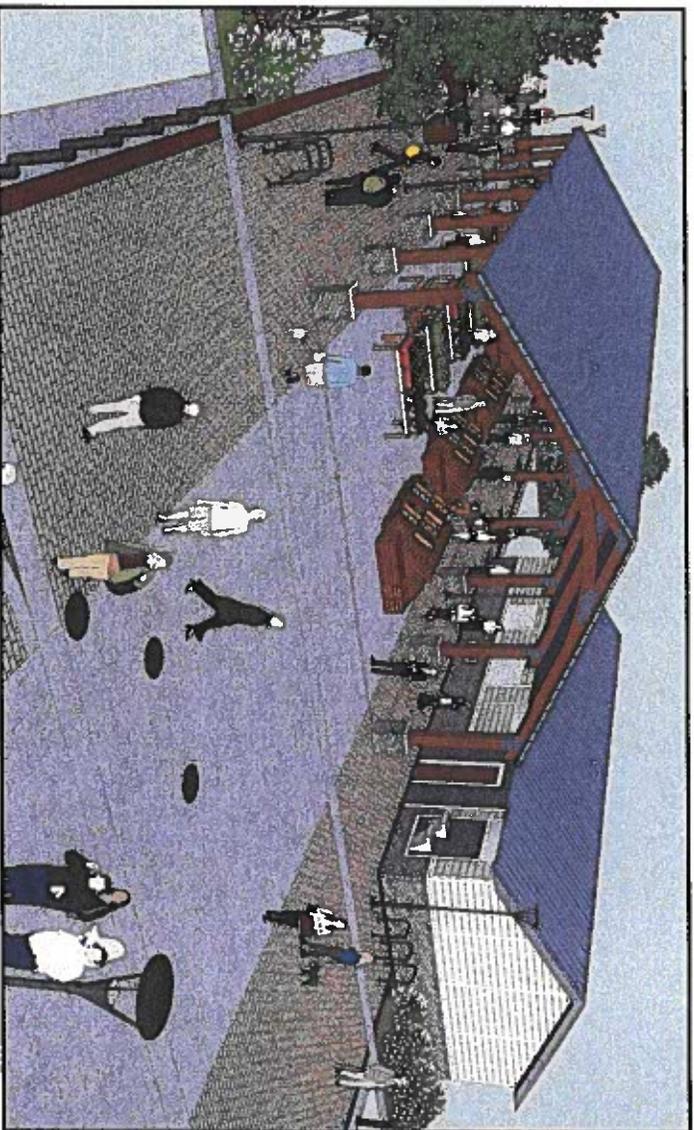
LEGACY PARK - OVERALL VIEWS



Prein & Newhof

CITY OF LUDINGTON

LEGACY PARK - PERSPECTIVE VIEWS



Prein&Newhof



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



Via email: htykoski@ci.ludington.mi.us

May 1, 2020

Heather L-V Tykoski
City of Ludington
Community Development Department
400 S. Harrison St.
Ludington, MI 49431

Re: N. James Street Legacy Plaza, Ludington, Michigan – Comments of the Miami Tribe of Oklahoma

Dear Ms. Tykoski:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma.

Having reviewed the additional information regarding the above-referenced project, the Miami Tribe offers no objection to the project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this project is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter

Diane Hunter
Tribal Historic Preservation Officer



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Red Lake Band of Chippewa Indians, Minnesota

Chairperson: Darrell Seki

THPO: Kade Ferris

PO Box 274

Red Lake, MN 56671

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

9&10 NEWS
1 Broadcast Way
CADILLAC, MI 49601

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

WPBN-WTOM
TV 7&4
8513 East Traverse Hwy
Traverse City, MI 49685

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Synergy Media Inc.
5941 W US 10
Ludington, MI 49431

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

Community Development Department
CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

March 25, 2020

Ludington Daily News
Attn: David Bossick, Editor
202 N Rath Ave.
Ludington, MI 49431

RE: 2020 CDBG Legacy Plaza Project

This correspondence is written to notify you that the City of Ludington has received a 2020 CDBG Program Grant for \$2,123,190.00. Project funds will be used to create a public plaza.

Creating a gathering place in Downtown became a priority for the Downtown Development Authority when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. This grant provides that opportunity

If you have any questions, do not hesitate to contact me at 231-845-6237. Your timely response, outlining any concerns or endorsing the project as presented, is appreciated, as completion of our environmental review is pending your written reply. If no comments are received by May 4th, the City will assume that your agency is in agreement with the program as outlined above.

Sincerely,

Heather L-V Tykoski
Community Development Director

Mailing List For Interested Parties
City of Ludington Legacy Plaza Community Development Block Grant

Person/Agency

West Michigan Shoreline Regional Development Commission
ATTN: Erin Kuhn Executive Director
P.O. Box 387
Muskegon, MI 49443-0387

US Environmental Protection Agency
77 West Jackson Blvd.
Chicago, IL 60604

US Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Department of Technology Management and Budget
State Budget Offices
Lewis Cass Bldg, 2nd floor
320 S. Walnut Street
PO Box 30026
Lansing, MI 48913

Mason County Health Department
Health Hazards
916 Diana St.
Ludington, MI 49431

Fabian Knizacky
Mason County Courthouse
304 E. Ludington Ave.
Ludington, MI 49431

Keith E. Hernandez Director, CPD
U.S Department of Housing & Urban Development Detroit Field Office
Patrick V. McNamara Federal Building
477 Michigan Avenue 17th Floor
Detroit, MI 48226-2592

Michigan Department of Environmental Quality
Director: Liesl Eichler Clark
Constitution Hall
525 West Allegan
P.O. Box 30473
Lansing, MI 48909

Lac du Flambeau Band of Lake Superior Chippewa Indians
of the Lac du Flambeau Reservation of Wisconsin
Melinda Young, Tribal Preservation Officer
Henry Butch St. Germaine, Chairman
PO Box 67 Lac du Flambeau, WI 54538

Grand Traverse Band of Ottawa and Chippewa Indians
Chairperson: Thurlow Samuel McClellan
2605 N. W. Bayshore Dr.
Suttons Bay, MI 49682

Little River Band of Ottawa Indians
Ogema: Larry Romanelli
THPO: Jay Sam
2608 Government Center Dr.
Manistee, MI 49660

Little Traverse Bay Bands of Odawa Indians
Chairperson: Regina Gasco-Bentley
THPO: Wesley Andrews
Government Center
7500 Odawa Circle
Harbor Springs, MI 49740

Sault Ste. Marie Tribe of Chippewa Indians
Chair: Aaron Payment
Cultural Repatriation Specialist: Colleen Medicine
523 Ashmun St.
Sault Ste. Marie, MI 49783

Menominee Indian Tribe of Wisconsin
Chairwoman: Joan Delabreau
Tribal Historic Preservation Officer: David Grignon
PO Box 910
Keshena, WI 54135-0910

Miami Tribe of Oklahoma
Chief: Douglas Lankford
THPO: Diane Hunter
PO Box 1326 Miami, OK 74355

Red Lake Band of Chippewa Indians, Minnesota
Chairperson: Darrell Seki
THPO: Kade Ferris
PO Box 274
Red Lake, MN 56671

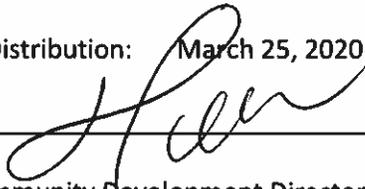
9&10 NEWS
1 Broadcast Way
CADILLAC, MI 49601

WPBN-WTOM
TV 7&4
8513 East Traverse Hwy
Traverse City, MI 49685

Synergy Media Inc.
5941 W US 10
Ludington, MI 49431

Ludington Daily News
Attn: David Bossick, Editor
202 N Rath Ave.
Ludington, MI 49431

Date of Distribution: March 25, 2020

Signed:  _____

Title: Community Development Director

Bay Mills Indian Community

Chairperson: Levi Carrick, Sr.

12140 W. Lakeshore Dr.

Brimley, MI 49715

(P) 906-248-3241 (F) 906-248-3283 <http://www.baymills.org/>

Grand Traverse Band of Ottawa and Chippewa Indians

Chairperson: Thurlow Samuel McClellan

2605 N. W. Bayshore Dr.

Suttons Bay, MI 49682

(P) 231-534-7103 (F) 231-534-7010 <http://gtbindians.org/>

Hannahville Potawatomi Indian Community

Chairperson: Kenneth Meshigaud

N-14911 Hannahville, B-1 Rd.

Wilson, MI 49896-9717

(P) 906-466-2932 (F) 906-466-2933 <http://hannahville.net/>

Keweenaw Bay Indian Community

President: Warren C. Swartz Jr.

16429 Beartown Rd.

Baraga, MI 49908

(P) 906-353-6623 <http://www.kbic-nsn.gov/>

Lac Vieux Desert Band of Lake Superior

Chairperson: James Williams, Jr.

Chippewa Indians

PO Box 249

Watersmeet, MI 49969

(P) 906-358-4577 (F) 906-358-4785 <http://lvdtribal.com/>

Little River Band of Ottawa Indians

Ogema: Larry Romanelli

2608 Government Center Dr.

Manistee, MI 49660

(P) 888-723-8288 (F) 231-723-8020 <https://www.lrboi-nsn.gov/>

Little Traverse Bay Bands of Odawa Indians

Chairperson: Regina Gasco-Bentley

Government Center

7500 Odawa Circle

Harbor Springs, MI 49740

(P) 231-242-1402 (F) 231-242-1412 <http://www.ltbbodawa-nsn.gov/>

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (Gun Lake)

Chairperson: Scott Sprague

1743 142nd Ave.

Dorr, MI 49323

(P) 616-681-8830 (F) 616-681-8836 <http://www.mbpi.org/>

Nottawaseppi Huron Band of Potawatomi

Chairperson: Jamie Stuck

1485 Mno-Bmadzewen Way

Fulton, MI 49052

(P) 269-729-5151 (F) 269-729-5920 <http://www.nhbpi.com>

Pokagon Band of Potawatomi

Chairperson: John Warren

58620 Sink Rd.

Dowagiac, MI 49047

(P) 269-782-6323 (F) 269-782-9625 (Toll-Free) 800-517-0777 <http://www.pokagonband-nsn.gov/>

Saginaw Chippewa Indian Tribe

Chairperson: Frank Cloutier

7070 E. Broadway

Mt. Pleasant, MI 48858

(P) 989-775-4000 (F) 989-775-4131 <http://www.sagchip.org/>

Sault Ste. Marie Tribe of Chippewa Indians

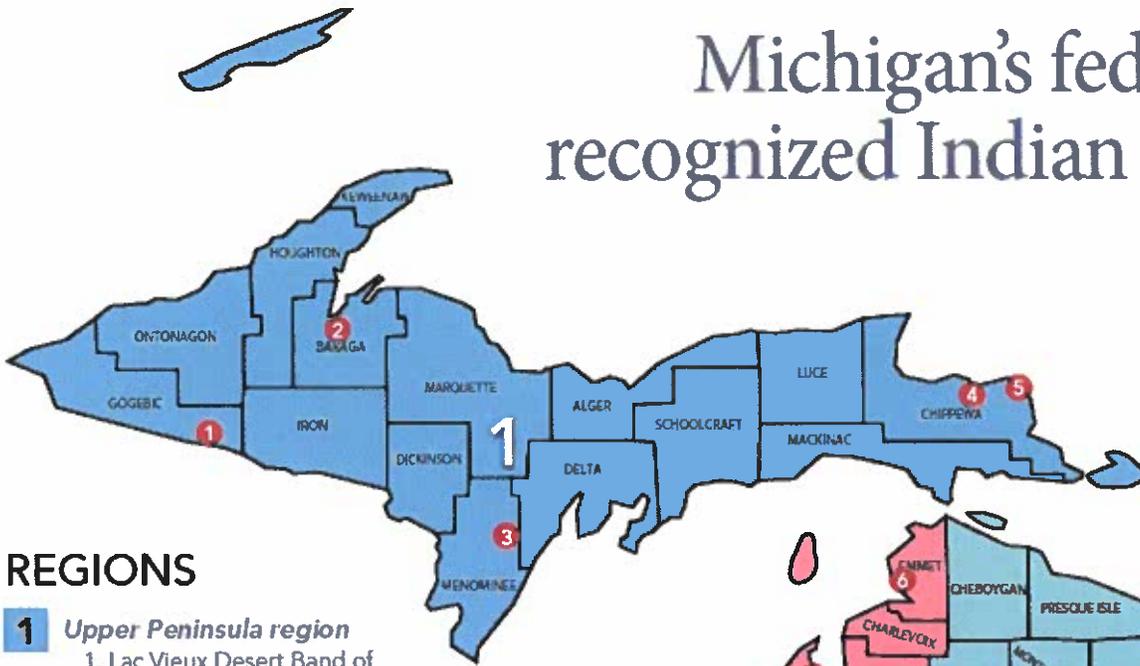
Chair: Aaron Payment

523 Ashmun St.

Sault Ste. Marie, MI 49783

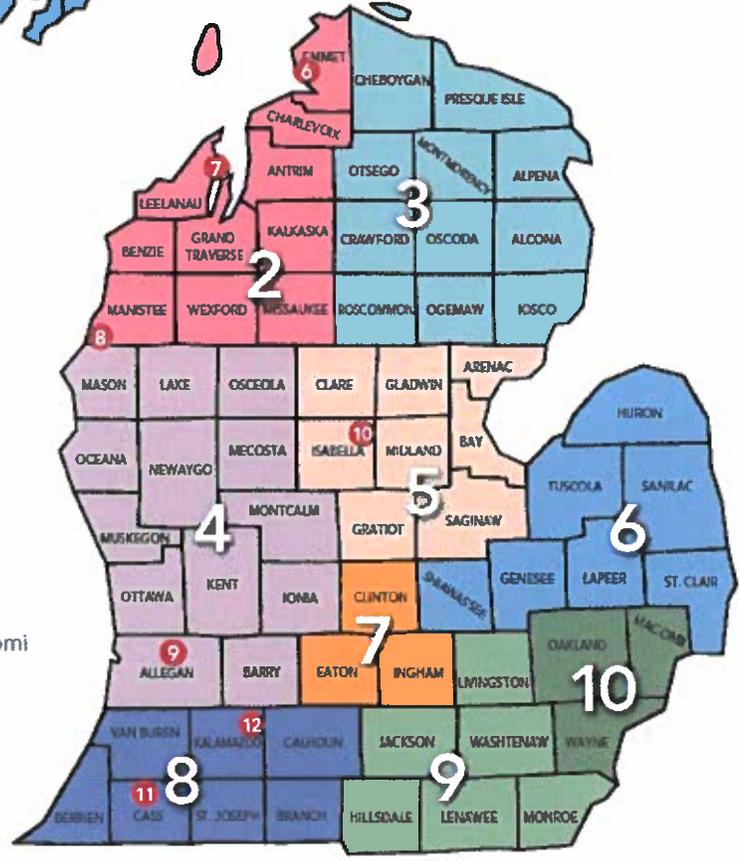
(P) 906-635-6050 (F) 906-635-4969 <http://www.saulttribe.com/>

Michigan's federally recognized Indian tribes



REGIONS

- 1** *Upper Peninsula region*
 - 1. Lac Vieux Desert Band of Lake Superior Chippewa Indians
 - 2. Keweenaw Bay Indian Community
 - 3. Hannahville Indian Community
 - 4. Bay Mills Indian Community
 - 5. Sault Ste. Marie Tribe of Chippewa Indians
- 2** *Northwest region*
 - 6. Little Traverse Bay Bands of Odawa Indians
 - 7. Grand Traverse Band of Ottawa and Chippewa Indians
 - 8. Little River Band of Ottawa Indians
- 3** *Northeast region*
- 4** *West Michigan region*
 - 9. Match-E-Be-Nash-She-Wish Band of Potawatomi Indians (Gun Lake Tribe)
- 5** *East Central Michigan region*
 - 10. Saginaw Chippewa Indian Tribe
- 6** *East Michigan region*
- 7** *South Central region*
- 8** *Southwest region*
 - 11. Pokagon Band of Potawatomi Indians
 - 12. Nottawaseppi Huron Band of Potawatomi Indians
- 9** *Southeast Michigan region*
- 10** *Detroit Metro region*



2549-130107



PURE MICHIGAN®

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

After consultation with the FWS the project was given approval to continue
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

A map of the Michigan Coastal Barrier is included from the U.S Fish and Wildlife Service interactive map database.

Are formal compliance steps or mitigation required?

Yes

No



Coastal Barrier Resources System

Ludington, MI Coastal Barrier N



January 17, 2020

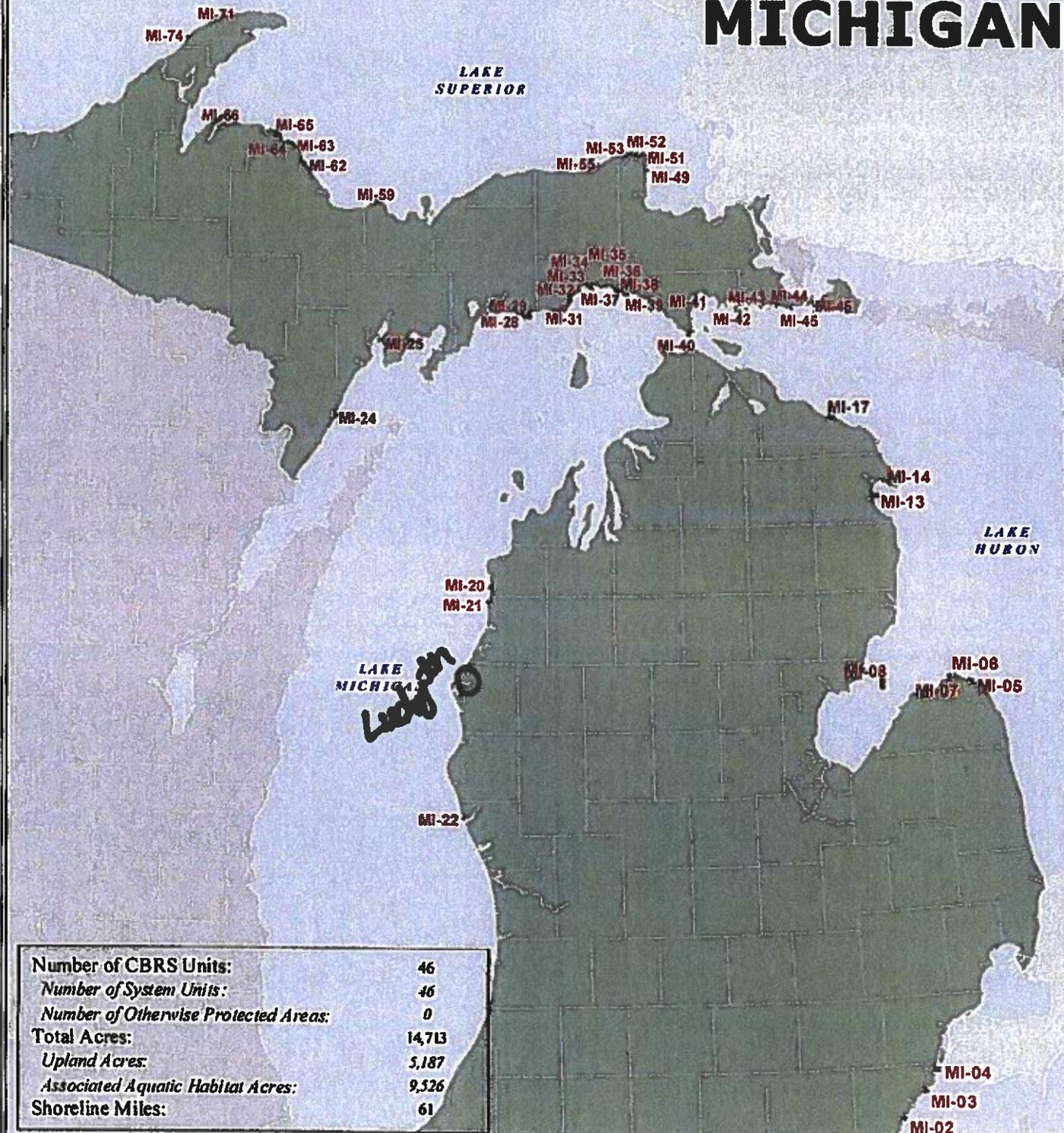
-  CBRS Buffer Zone
-  System Unit
-  CBRS Units
-  Otherwise Protected Area

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/cbra/maps/index.html>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<http://www.fws.gov/cbra/Determinations.html>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward extent of the units is not shown in the CBRS mapper.

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MICHIGAN



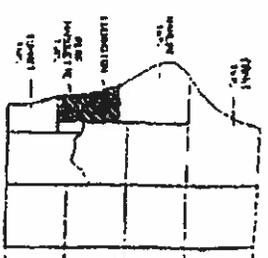
Number of CBRS Units:	46
Number of System Units:	46
Number of Otherwise Protected Areas:	0
Total Acres:	14,713
Upland Acres:	5,187
Associated Aquatic Habitat Acres:	9,526
Shoreline Miles:	61

Boundaries of the John H. Chafee Coastal Barrier Resources System (CBRS) shown on this map were transferred from the official CBRS maps for this area and are depicted on this map (in red) for informational purposes only. The official CBRS maps are enacted by Congress via the Coastal Barrier Resources Act, as amended, and are maintained by the U.S. Fish and Wildlife Service. The official CBRS maps are available for download at http://www.fws.gov/habitatconservation/coastal_barrier.html.

**PLANNING BOARD OF THE
STATE OF MISSISSIPPI**

**HIGH RISK EROSION AREAS &
CRITICAL DUNE AREAS**

INVESTIGATION



CRITICAL DUNE AREAS

FOR MORE INFORMATION, CONTACT THE
PLANNING BOARD OF THE STATE OF MISSISSIPPI
AT THE FOLLOWING ADDRESS:
1000 NORTH SHORELINE AVENUE
TULSA, OKLAHOMA 74106

CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.

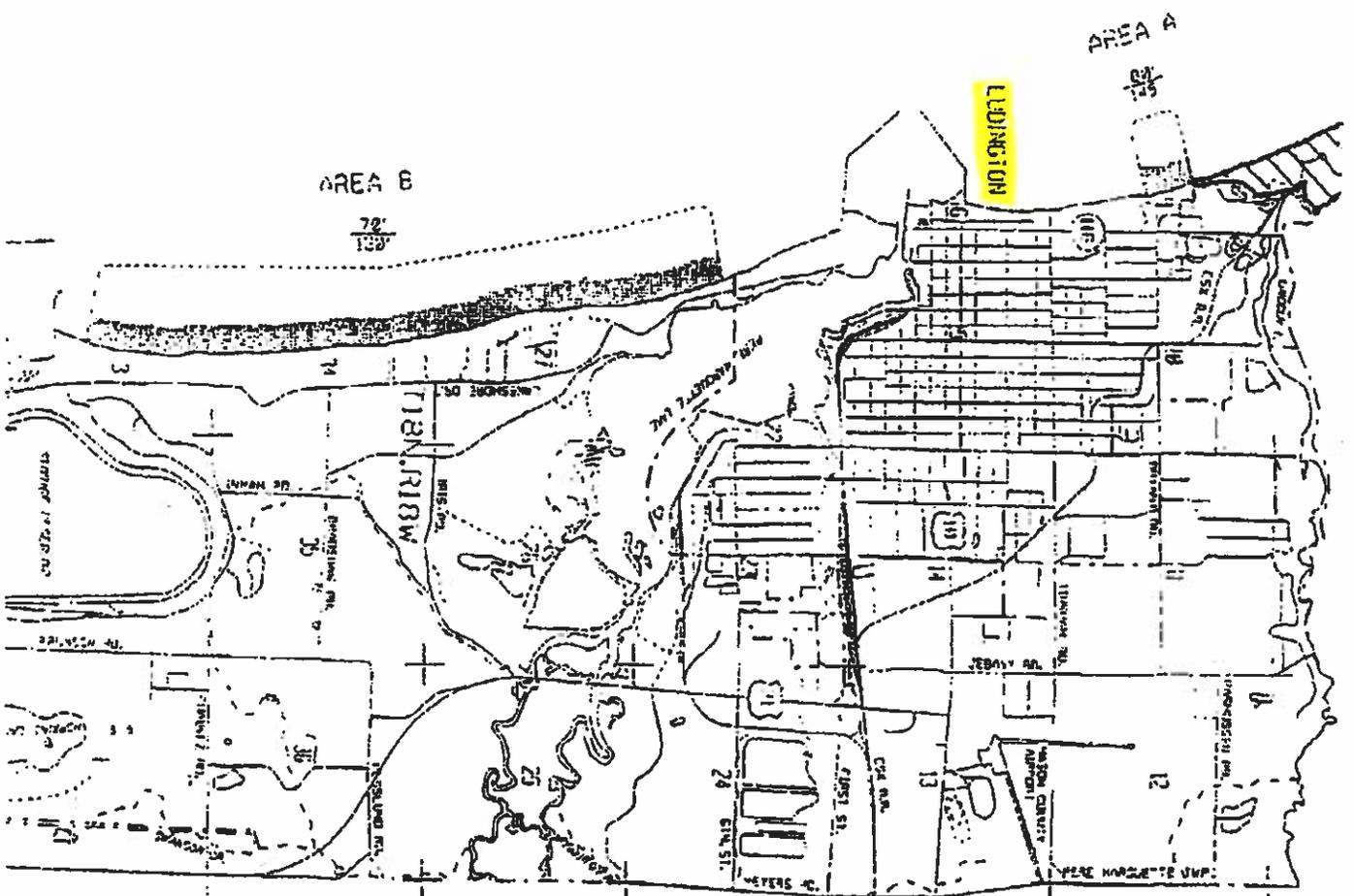
CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.

CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.

CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.

CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.

CRITICAL DUNE AREAS
ARE THOSE AREAS WHERE THE
DUNE IS AT LEAST 10 FEET HIGH
AND IS SUBJECT TO EROSION
DURING STORM SURGES AND
WINDS EXCEEDING 100 MPH.



72'
150'

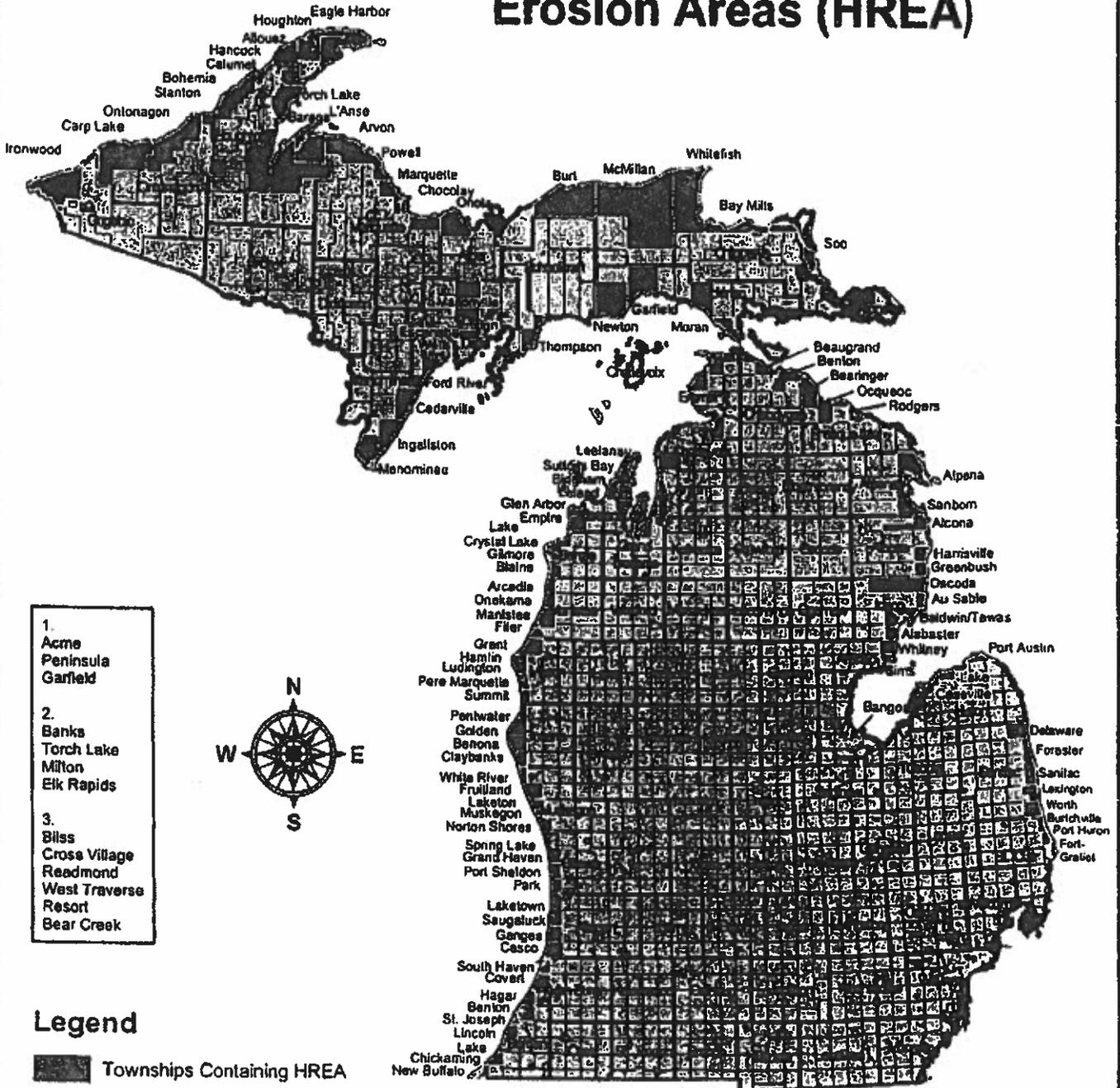
AREA B

LEONINGTON

AREA A

CRITICAL DUNE AREAS

Michigan Political Townships Containing High Risk Erosion Areas (HREA)



1. Acme
Peninsula
Garfield
2. Banks
Torch Lake
Milton
Elk Rapids
3. Bliss
Crosse Village
Readmond
West Traverse
Resort
Bear Creek

Legend

- Townships Containing HREA
- County
- Political Townships



The highlighted areas identify those political townships which contain stretches of shoreland that are designated as High Risk Erosion Area (HREA) under Part 323, Shorelands Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. This map is intended to provide the general distribution of HREAs. Highlighted townships do not necessarily have their entire shoreland designated as HREA. Refer to the detailed township maps for a more detailed view of a specific HREA. Contact the Land and Water Management Division at (517) 241-1515 for more information about the HREA program.

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

- No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*
- Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

There are no wetlands in the Downtown Area in the City of Ludington where the project will take place. Plans and Specifications of each project are included in this review under the Section 106 Review. The ground disturbing activity will consist of replacing a roadway with a plaza space. Impacts to the area will be positive. Raingardens will be utilized as well as existing City Stormwater infrastructure. See attached map from: <https://www.mcgi.state.mi.us/wetlands/mcgiMap.html#>

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Map Viewer

Department of Environment, Great Lakes, and Energy

Search Tools Share

Legend Base Maps About

Legend

Legend items you see on the map by using the checkboxes

Wetland Data

- Wetland (Hydric) Soils
- National Wetlands Inventory 2005

Wetland Restoration

- Highest Potential - Hydric and Presettlement

Wetland Overlay

- High Potential - Hydric Soils Only
- Moderate Potential - Presettlement Wetlands Only

Final Wetlands Inventory

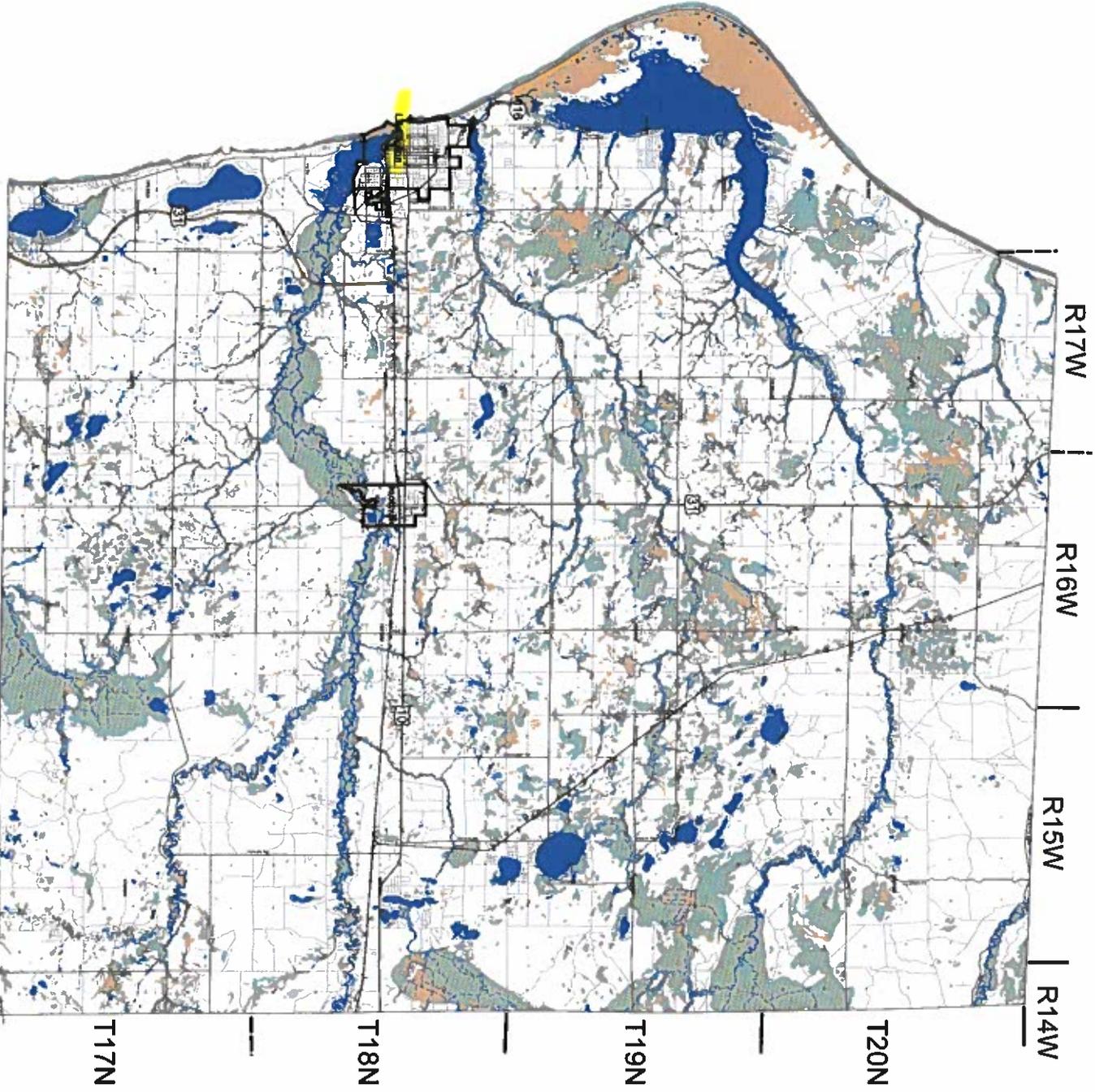
- Wetlands as identified on NWI and AIRIS maps
- Soil areas which include wetland soils
- Wetlands as identified on NWI and AIRIS maps and soil areas which include wetland soils

Stream Data

Gage Stations



Mason County Final Wetland Inventory



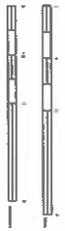
Mason County Final Wetland Inventory

The Michigan Department of Environmental Quality (MDEQ) Wetland Inventory Map was prepared to provide an approximate location of wetlands and wetland conditions. The MDEQ produced the map from the following data obtained from other agencies or organizations:

1. The National Wetland Inventory (NWI) conducted by the United States Fish and Wildlife Service through interpretation of aerial photos and topographic data.
2. Land Cover as mapped by the Michigan Wetlands Inventory System (MWIS).
3. Soil maps as mapped by the Michigan Department of Natural Resources.
4. Data as received by the United States Department of Agriculture, Natural Resources Conservation Service (NRCS).

This map is not intended to be used to determine the specific locations and jurisdictional boundaries of wetland areas subject to regulation under Part 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320 and the other provisions of the Michigan Wetlands Inventory System. A permit is required from the MDEQ to conduct field activities to wetlands regulated under Part 303.

More information regarding this map, including how to obtain a copy can be accessed at www.michigan.gov/mdeq/wetlands.



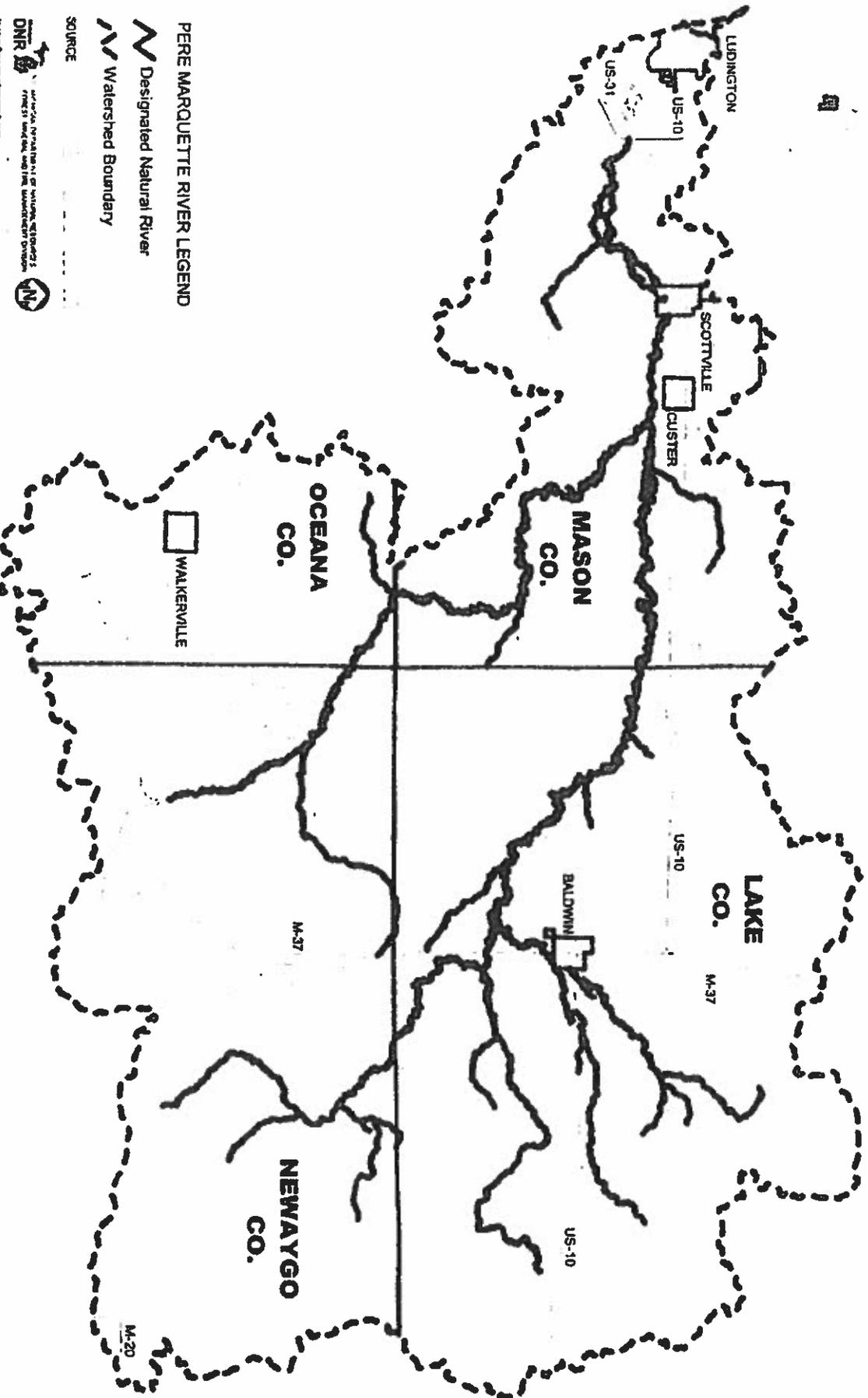
- ### Legend
- Interstate Highways
 - US Highways
 - State Highways
 - Railways
 - Open Water
 - Rivers
 - Drains
 - Wetlands as identified on NWI and MWIS maps
 - Soil areas which include on NWI and MWIS maps and soil areas which include wetland soils
 - Wetlands as identified on NWI and MWIS maps and soil areas which include wetland soils
 - County Boundary



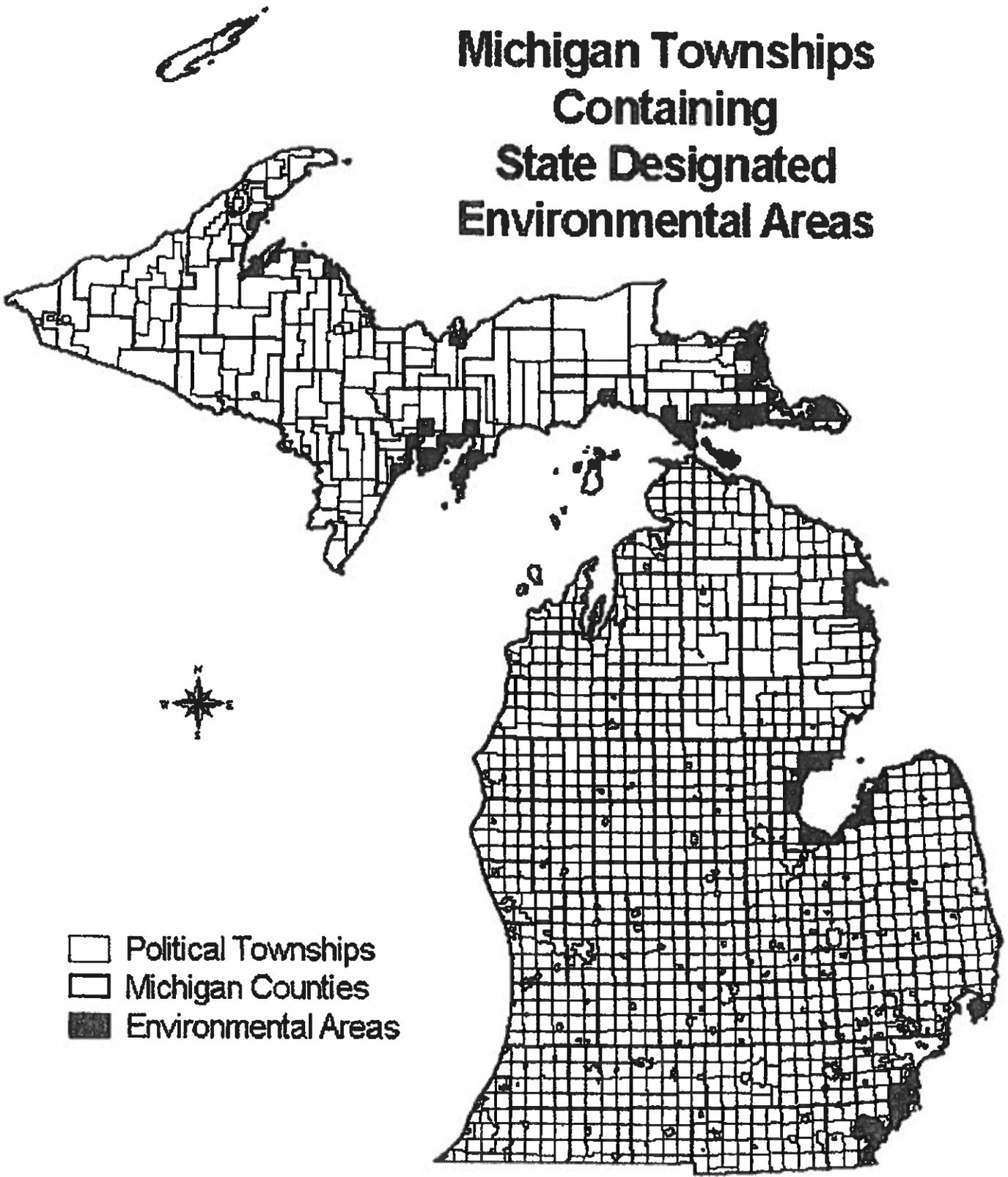
Areas shown as wetlands, wetland soils, or open water on this map are potential wetlands and do not represent a determination of whether a wetland is actually present. The map may not identify all potential wetlands in a county (it may show wetlands that are not present). This map represents existing information that suggests that potentially a wetland may or may not exist in a given area and cannot be used to identify regulatory jurisdiction. Compiled by DEQ/LWMD on December 15, 2008.

DATE 02/11/2002

PERE MARQUETTE RIVER



Michigan Townships Containing State Designated Environmental Areas



Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 2.*

2. Is the project located on a sole source aquifer (SSA)¹?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

Yes → *Continue to Question 3.*

3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

¹ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Michigan Groundwater maps are provided from:

<https://www.egr.msu.edu/igw/GWIM%20Figure%20Webpage/>

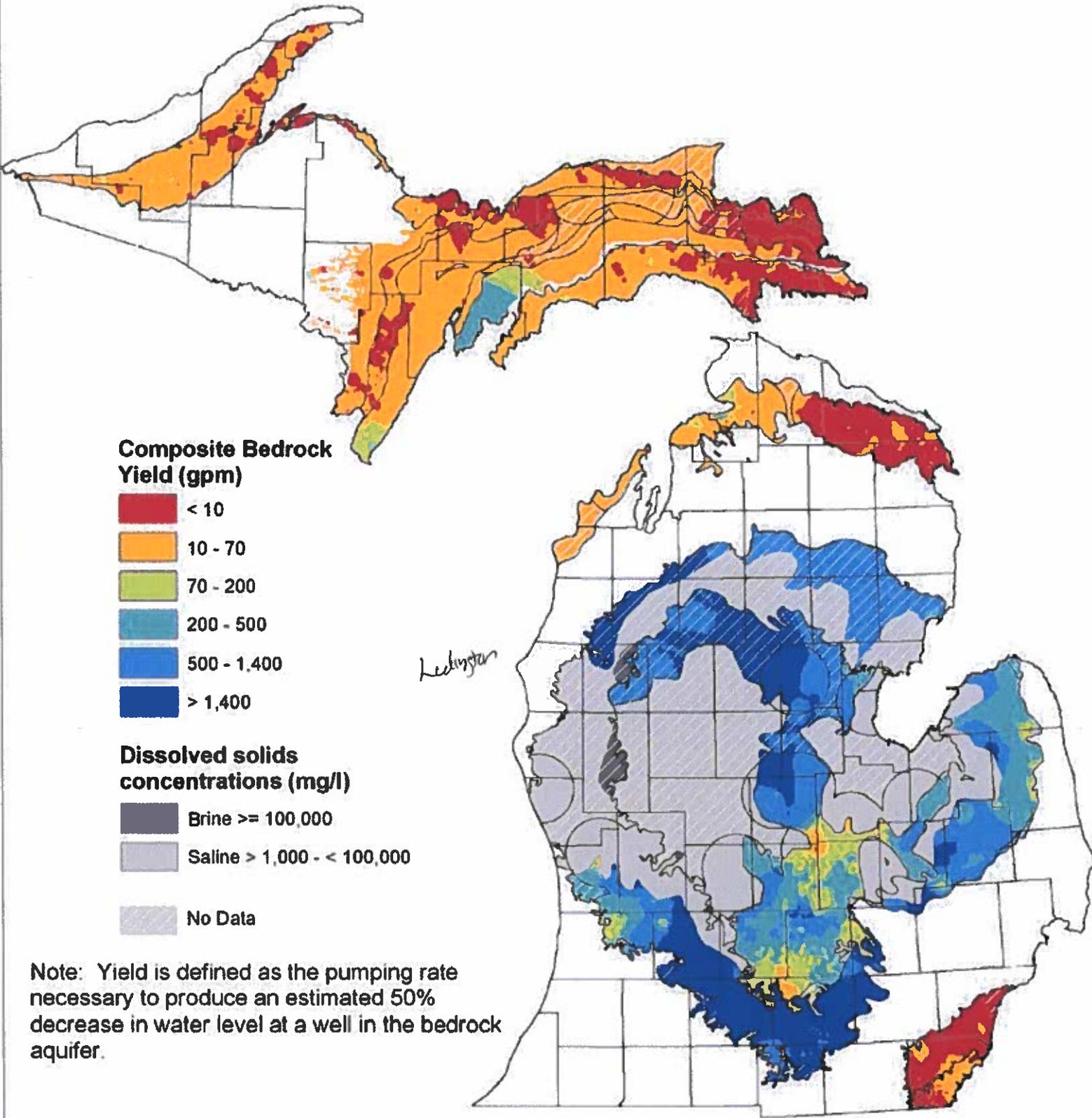
And attached figures of the Great Lakes Basin from: <https://water.usgs.gov/ogw/pubs/WRI004008/>

Are formal compliance steps or mitigation required?

Yes

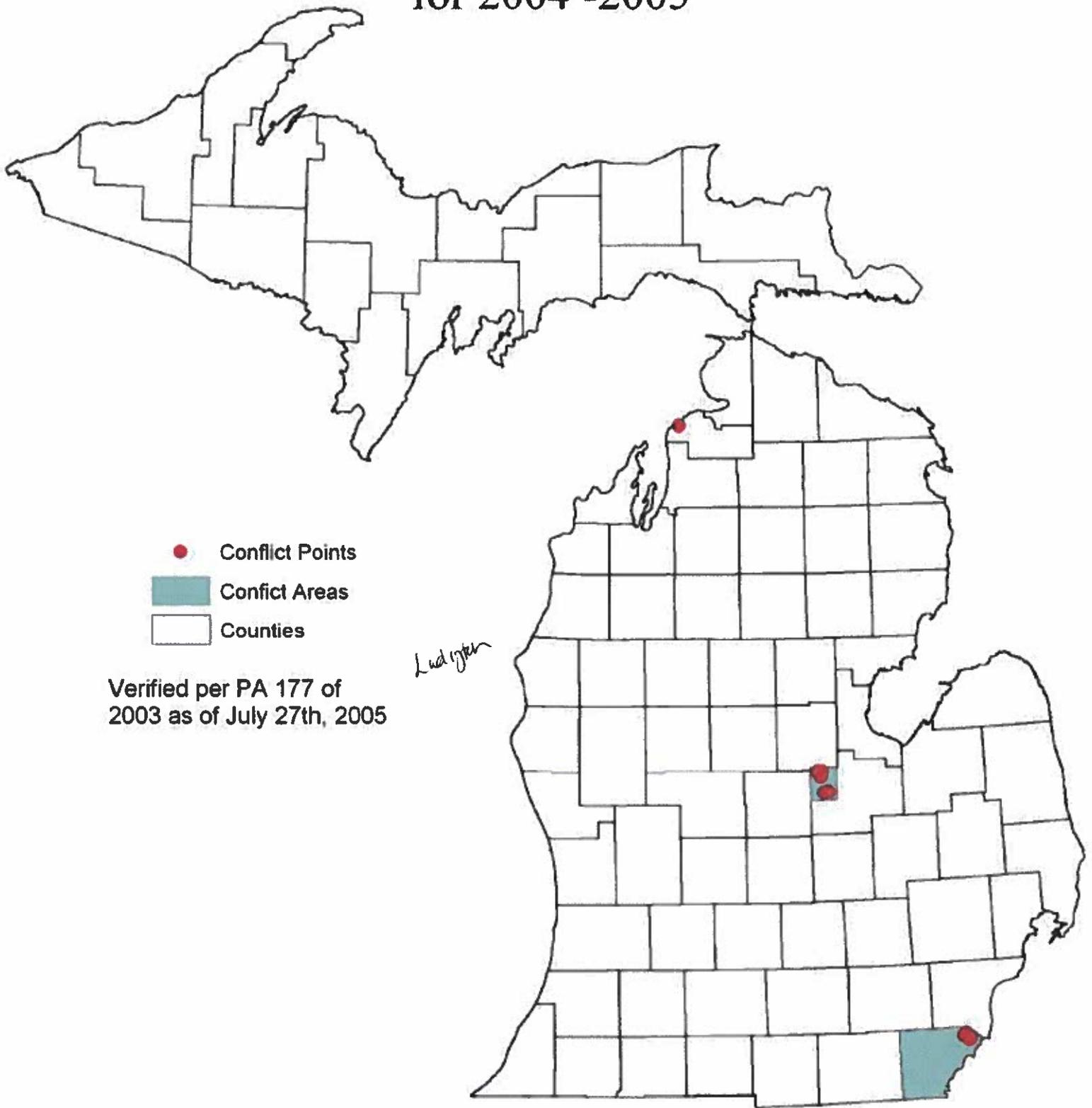
No

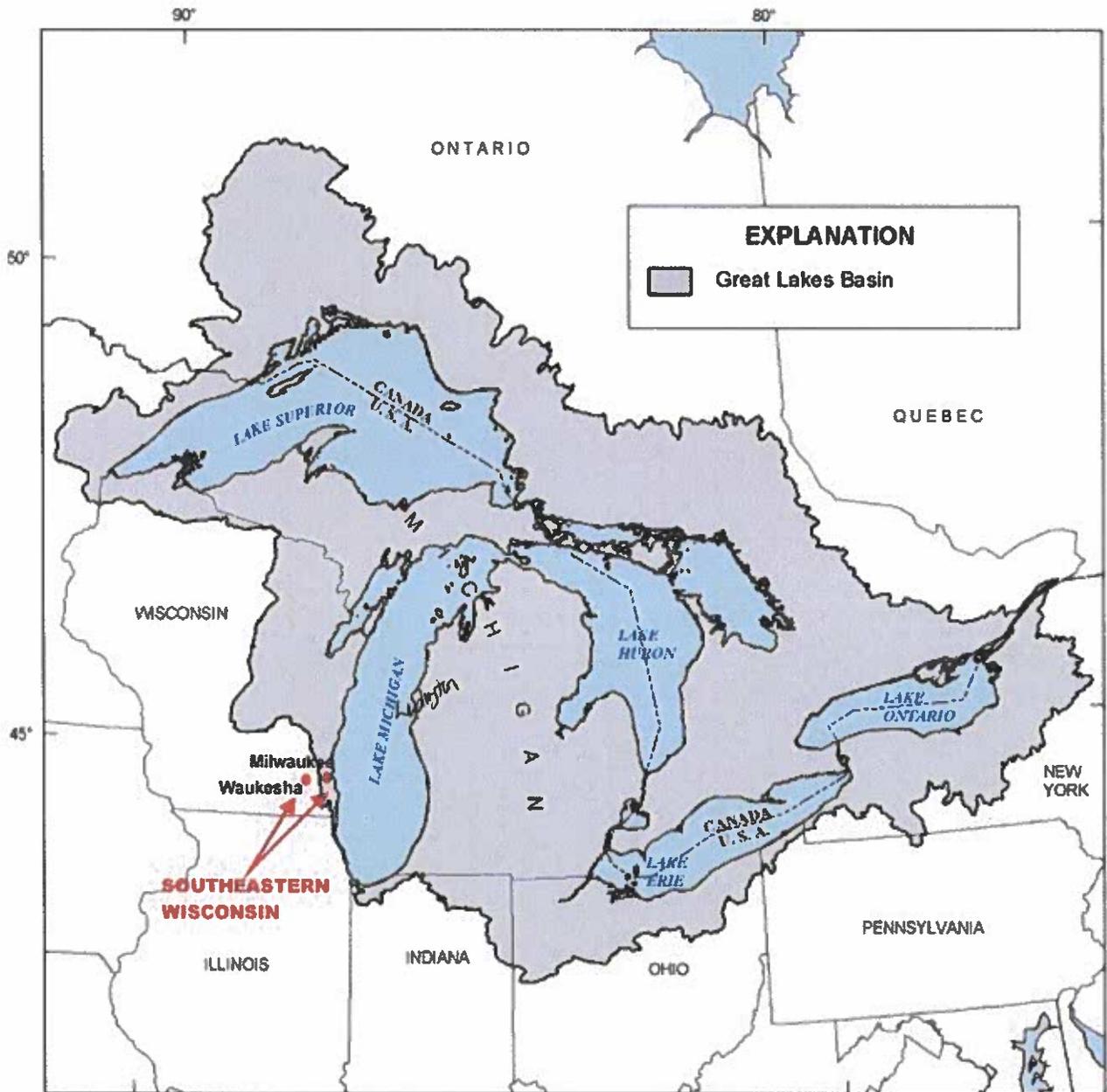
Figure 4 Bedrock Aquifers - Estimated Yield



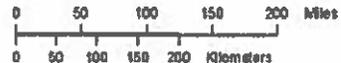
Note: Yield is defined as the pumping rate necessary to produce an estimated 50% decrease in water level at a well in the bedrock aquifer.

Figure 9 PA 177 Groundwater Use Conflicts for 2004 -2005





Base from ESRI, 2001, Army Corps of Engineers, 1998, and Environment Canada, 1995.



The Importance of Ground Water in the Great Lakes Region Water Resources Investigations Report 00 - 4008

| [Back to Report](#) | [Back to Contents](#) | [Next Figure](#) ► |

Figure 2

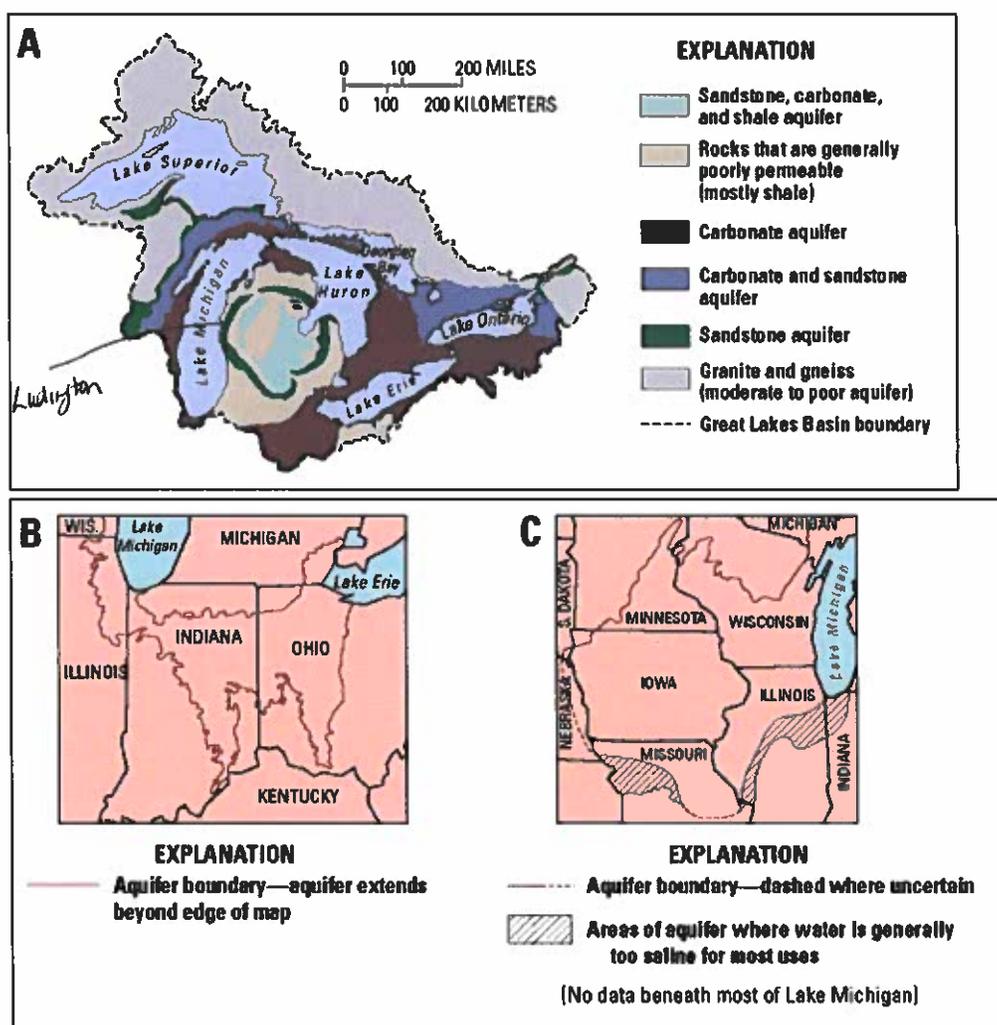


Figure 2. (A) Bedrock aquifers of the Great lakes Basin (modified from Great Lakes Commission, 1975); (B) Approximate extent of the freshwater bearing carbonate aquifer in Ohio, Indiana, Illinois, and parts of Michigan and Wisconsin (modified from Casey, 1996, figure 14); (C) Approximate extent of the sandstone aquifer west of Lake Michigan (modified from Young, 1992, figure 16).

The Importance of Ground Water in the Great Lakes Region Water Resources Investigations Report 00 - 4008

| [Back to Report](#) | [Back to Contents](#) | [Next Figure](#) ▶ |

Figure 4

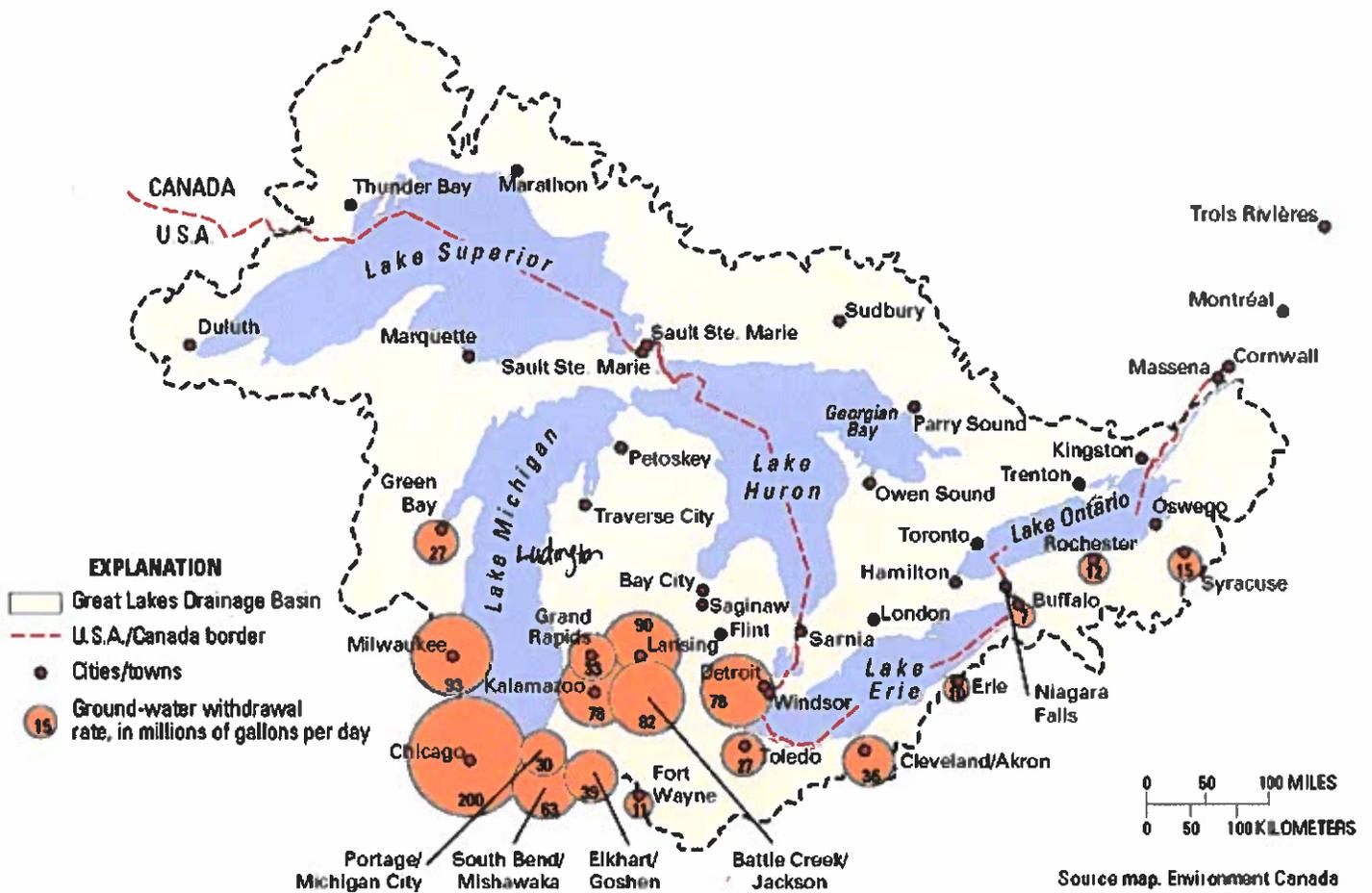


Figure 4. Estimated ground-water withdrawal rates for some major U.S. metropolitan areas (data not available for Canadian areas).

Endangered Species Act (CEST and EA)

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402
References		
https://www.hudexchange.info/environmental-review/endangered-species		

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

Explain your determination:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Yes, the activities involved in the project have the potential to affect species and/or habitats. → Continue to Question 2.

2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation

may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

- Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
→ *Continue to Question 4, Informal Consultation.*

- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.
→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- Yes, the Service(s) concurred with the finding.
→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*
- (1) A biological evaluation or equivalent document*
 - (2) Concurrence(s) from FWS and/or NMFS*
 - (3) Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding. → Continue to Question 5.

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

No mitigation is necessary.

Explain why mitigation will not be made here:

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

https://www.michigan.gov/mdard/0,4610,7-125-1569_16988_35287-126817--,00.html

Mason

Karner blue: *Lycaeides melissa samuelis* (Invertebrate)

[MNFI Species Profile for Michigan - Karner blue](#)

Source: Michigan Natural Features Inventory

<https://mnfi.anr.msu.edu/resources/county-element-data>

FWS data sheets show the State of Michigan. These sites show Mason County specific information. Being that the project is a renovation of an existing City Street in an urban environment, it is not conducive to the habitat of the species that would be in Mason County.

Are formal compliance steps or mitigation required?

Yes

No

Mason County Endangered Species List

<http://www.fws.gov/midwest/endangered/lists/michigan-cty.html>

The project is not located in the endangered species habitat areas.

Mason	Indiana bat (<i>Myotis sodalis</i>)	Endangered	Summer habitat includes small to medium river and stream corridors with well developed riparian woods; woodlots within 1 to 3 miles of small to medium rivers and streams; and upland forests. Caves and mines as hibernacula.
	Piping plover (<i>Charadrius melodus</i>)	Endangered	Beaches along shorelines of the Great Lakes
	Piping plover (<i>Charadrius melodus</i>)	Critical Habitat Designated	
	Eastern massasauga (<i>Sistrurus catenatus catenatus</i>)	Candidate	

	Karner blue butterfly <i>(Lycaeides melissa samuelis)</i>	Endangered	Pine barrens and oak savannas on sandy soils and containing wild lupines (<i>Lupinus perennis</i>), the only known food plant of larvae.
	<u>Pitcher's thistle</u> <i>(Cirsium pitcheri)</i>	Threatened	Stabilized dunes and blowout areas

Mason	Indiana bat (<i>Myotis sodalis</i>)	Endangered	Summer habitat includes small to medium river and stream corridors with well developed riparian woods; woodlots within 1 to 3 miles of small to medium rivers and streams; and upland forests. Caves and mines as hibernacula.
	Piping plover (<i>Charadrius melodus</i>)	Endangered	Beaches along shorelines of the Great Lakes
	Piping plover (<i>Charadrius melodus</i>)	Critical Habitat Designated	
	Eastern massasauga (<i>Sistrurus catenatus</i>)	Candidate	
	Karner blue butterfly (<i>Lycæides melissa samuelis</i>)	Endangered	Pine barrens and oak savannas on sandy soils and containing wild lupines (<i>Lupinus perennis</i>), the only known food plant of larvae.
	Pitcher's thistle (<i>Cirsium pitcheri</i>)	Threatened	Stabilized dunes and blowout areas

Michigan

Federally-listed Endangered and Threatened Species

Updated October 2018

SPECIES	STATUS	COUNTIES	HABITAT
MAMMALS			
Canada lynx (<i>Lynx canadensis</i>)	Threatened	Current distribution: A Canada lynx was recently documented in the Upper Peninsula. The counties listed here have the highest potential for Lynx presence: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.	Northern forests
Gray wolf <i>Canis lupus</i>	Endangered	Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft	Northern forested areas
Indiana bat (<i>Myotis sodalis</i>)	Endangered	Allegan, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Ingham, Ionia, Jackson, Kalamazoo, Kent, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Monroe, Montcalm, Muskegon, Oakland, Oceana, Ottawa, Saginaw, St. Joseph, Sanilac, Shiawassee, St. Clair, Tuscola, Van Buren, Washtenaw, and Wayne	Summer habitat includes small to medium river and stream corridors with well developed riparian woods; woodlots within 1 to 3 miles of small to medium rivers and streams; and upland forests. Caves and mines as hibernacula.
Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Statewide	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
BIRDS			
Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Alcona, Alger, Antrim, Baraga, Chippewa, Clare, Crawford, Delta, Grand Traverse, Iosco, Kalkaska, Luce, Marquette, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Schoolcraft	Breeding in young jack pine
Piping plover (<i>Chradrius melodus</i>)	Endangered	Alger, Alpena, Benzie, Berrien, Charlevoix, Cheboygan, Chippewa, Delta, Emmet, Leelanau, Luce, Mackinac, Manistee, Mason, Muskegon, Presque Isle, Schoolcraft	Beaches along shorelines of the Great Lakes
Piping plover (<i>Chradrius melodus</i>)	Critical Habitat	Alger, Benzie, Charlevoix, Cheboygan, Chippewa, Emmet, Iosco, Leelanau, Luce, Mackinac, Mason, Muskegon, Presque Isle, Schoolcraft	Beaches along shorelines of the Great Lakes

SPECIES	STATUS	COUNTIES	HABITAT
Rufa Red knot (<i>Calidris canutus rufa</i>)	Threatened	<p>Only actions that occur along coastal areas during the Red Knot migratory window of MAY 1 - SEPTEMBER 30 for the following counties:</p> <p>Alcona, Alger, Allegan, Alpena, Antrim, Arenac, Baraga, Bay, Benzie, Berrien, Charlevoix, Cheboygan, Chippewa, Delta, Emmet, Gogebic, Grand Traverse, Houghton, Huron, Iosco, Keweenaw, Leelanau, Luce, Mackinac, Macomb, Manistee, Marquette, Mason, Menominee, Monroe, Muskegon, Oceana, Ontonagon, Ottawa, Presque Isle, Sanilac, Schoolcraft, St. Clair, Tuscola, Van Buren, Wayne</p> <p>Only actions that occur in large wetland complexes during the Red knot migratory window of MAY 1 - SEPTEMBER 30 for the following counties:</p> <p>Midland, Saginaw, Shiawassee</p>	Coastal areas and large wetland complexes
Whooping crane ** (<i>Grus americanus</i>)	Non-essential experimental population	Allegan, Barry, Berrien, Jackson, Kent, Lenawee, Macomb, Oceana, Ottawa	Open wetlands and lakeshores
REPTILES			
Copperbelly water snake (<i>Nerodia erythrogaster neglecta</i>)	Threatened	Branch, Calhoun, Cass, Eaton, Hillsdale, St. Joseph	Wooded and permanently wet areas such as oxbows, sloughs, brushy ditches and floodplain woods
Eastern massasauga (<i>Sistrurus catenatus</i>)	Threatened	Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Berrien, Branch, Calhoun, Cass, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmett, Genesee, Grand Traverse, Hillsdale, Huron, Ingham, Ionia, Iosco, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Lenawee, Livingston, Mackinac, Macomb, Manistee, Mason, Missaukee, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oscoda, Presque Isle, Saginaw, St. Joseph, Shiawassee, Van Buren, Washtenaw, Wayne	Graminoid dominated plant communities (fens, sedge meadows, peatlands, wet prairies) open woodlands and shrublands
INSECTS			
Hine's emerald dragonfly (<i>Somatochlora hineana</i>)	Endangered	Alcona, Alpena, Mackinac, Menominee, Presque Isle	Spring fed wetlands, wet meadows and marshes; calcareous streams & associated wetlands overlying dolomite bedrock
Hungerford's crawling water beetle (<i>Brychius hungerfordi</i>)	Endangered	Charlevoix, Cheboygan, Crawford, Emmet, Montmorency, Oscoda, Otsego, Presque Isle	Cool riffles of clean, slightly alkaline streams; known to occur in five streams in northern Michigan.
Karner blue butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	Allegan, Ionia, Kent, Lake, Mason, Mecosta, Monroe, Montcalm, Muskegon, Newaygo, Oceana	Pine barrens and oak savannas on sandy soils and containing wild lupines (<i>Lupinus perennis</i>), the only known food plant of larvae.
Mitchell's satyr (<i>Neonympha mitchellii mitchellii</i>)	Endangered	Barry, Berrien, Branch, Cass, Jackson, Kalamazoo, St. Joseph, Van Buren, Washtenaw	Fens; wetlands characterized by calcareous soils which are fed by carbonate-rich water from seeps and springs

SPECIES	STATUS	COUNTIES	HABITAT
Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Endangered Critical Habitat	Hillsdale, Jackson, Lenawee, Livingston, Oakland, and Washtenaw Maps of proposed critical habitat in Michigan at www.fws.gov/midwest/endangered/insects/posk/fcHmaps/poskchMI.pdf	Wet prairie and fens
MUSSELS			
Clubshell (<i>Pleurobema clava</i>)	Endangered	Hillsdale	Found in coarse sand and gravel areas of runs and riffles within streams and small rivers
Northern riffleshell (<i>Epioblasma torulosa rangiana</i>)	Endangered	Monroe, Sanilac, Wayne	Large streams and small rivers in firm sand of riffle areas; also occurs in Lake Erie
Rayed Bean (<i>Villosa fabalis</i>)	Endangered	Oakland, St. Clair	Belle, Black, Clinton and Pine Rivers
Snuffbox (<i>Epioblasma triquetra</i>)	Endangered	Gratiot, Ionia, Kent, Livingston, Oakland, St. Clair, Washtenaw	Small to medium-sized creeks in areas with a swift current and some larger rivers
PLANTS			
American hart's tongue fern (<i>Asplenium scolopendrium</i> var. <i>americanum</i> = <i>Phyllitis japonica</i> ssp. <i>a.</i>)	Threatened	Chippewa, Mackinac	Cool limestone sinkholes in mature hardwood forest
Dwarf lake iris (<i>Iris lacustris</i>)	Threatened	Alpena, Charlevoix, Cheboygan, Chippewa, Delta, Emmet, Mackinac, Menominee, Presque Isle, Schoolcraft	Partially shaded sandy-gravelly soils on lakeshores
Eastern prairie fringed orchid (<i>Plantathera leucophaea</i>)	Threatened	Bay, Cheboygan, Clinton, Eaton, Genesee, Gratiot, Huron, Livingston, Monroe, Saginaw, St. Clair, St. Joseph, Tuscola, Washtenaw, Wayne	Mesic to wet prairies and meadows
Houghton's goldenrod (<i>Solidago houghtonii</i>)	Threatened	Charlevoix, Cheboygan, Chippewa, Crawford, Emmet, Kalkaska, Mackinac, Presque Isle, Schoolcraft	Sandy flats along Great Lakes shores
Lakeside daisy (<i>Hymenoxys acaulis</i> var. <i>glabra</i>)	Threatened	Mackinac	Dry, rocky prairie grassland underlain by limestone
Michigan monkey-flower (<i>Mimulus michiganensis</i>)	Endangered	Benzie, Charlevoix, Cheboygan, Emmet, Leelanau, Mackinac	Soils saturated with cold flowing spring water; found along seepages, streams and lakeshores
Pitcher's thistle (<i>Cirsium pitcheri</i>)	Threatened	Alcona, Alger, Allegan, Alpena, Antrim, Arenac, Benzie, Berrien, Charlevoix, Cheboygan, Chippewa, Delta, Emmet, Grand Traverse, Huron, Iosco, Leelanau, Mackinac, Manistee, Mason, Muskegon, Oceana, Ottawa, Presque Isle, Schoolcraft, Van Buren	Stabilized dunes and blowout areas

SPECIES	STATUS	COUNTIES	HABITAT
Small whorled pogonia <i>(Isotria medeoloides)</i>	Threatened	Berrien	Dry woodland; upland sites in mixed forests (second or third growth stage)

**FLOODPLAIN & WETLAND REVIEW FOR THE
8 STEP PROCESS FOR COMPLIANCE WITH FLOODPLAIN MANAGEMENT**

[24 CFR 55, Executive Orders 11988 & 11990]

1. Floodplain and Wetland review applies to projects involving ANY of the following-Check all that apply:

- Acquisition of land or buildings
- New Construction
- Substantial Rehabilitation (i.e. modifications and improvements to buildings where rehabilitation costs exceed 50% of the pre-rehab value of the building or where residential density increases more than 20%)
- Expanding the footprint of buildings or structures
- Infrastructure Improvements—Water, Sewer, Drainage, Roads, and Ditches
- Other activities affecting land use:

2. Is the project located in a 100-year floodplain, designated floodway, or results in new construction in a wetland?

Yes No

[Note: Review the FIRM (Flood Insurance Rate Map) for your project area, or when the project area is not mapped, use other best available information]

If YES, skip to #4

If NO, go on to #3

3. You have determined that the project is NOT located in a floodplain or wetland. Document the determination by completing the following:

Source Documentation: Attach a FEMA Flood Insurance Rate Map (FIRM) and identify the site and project location on the map. Community Name/Number: City of Ludington 260581

FIRM Map Panel and Date of Map Panel: 229 of 425 August 26, 2019

If the area has not been mapped, obtain the best available information from one or more of the following qualified resources: (Check all sources used and attach all documentation received.)

- Michigan Department of Environmental Quality (MDEQ)
- Natural Resources Conservation Service (NRCS)
- Michigan Geographical Information Service (MCGI)
- Other

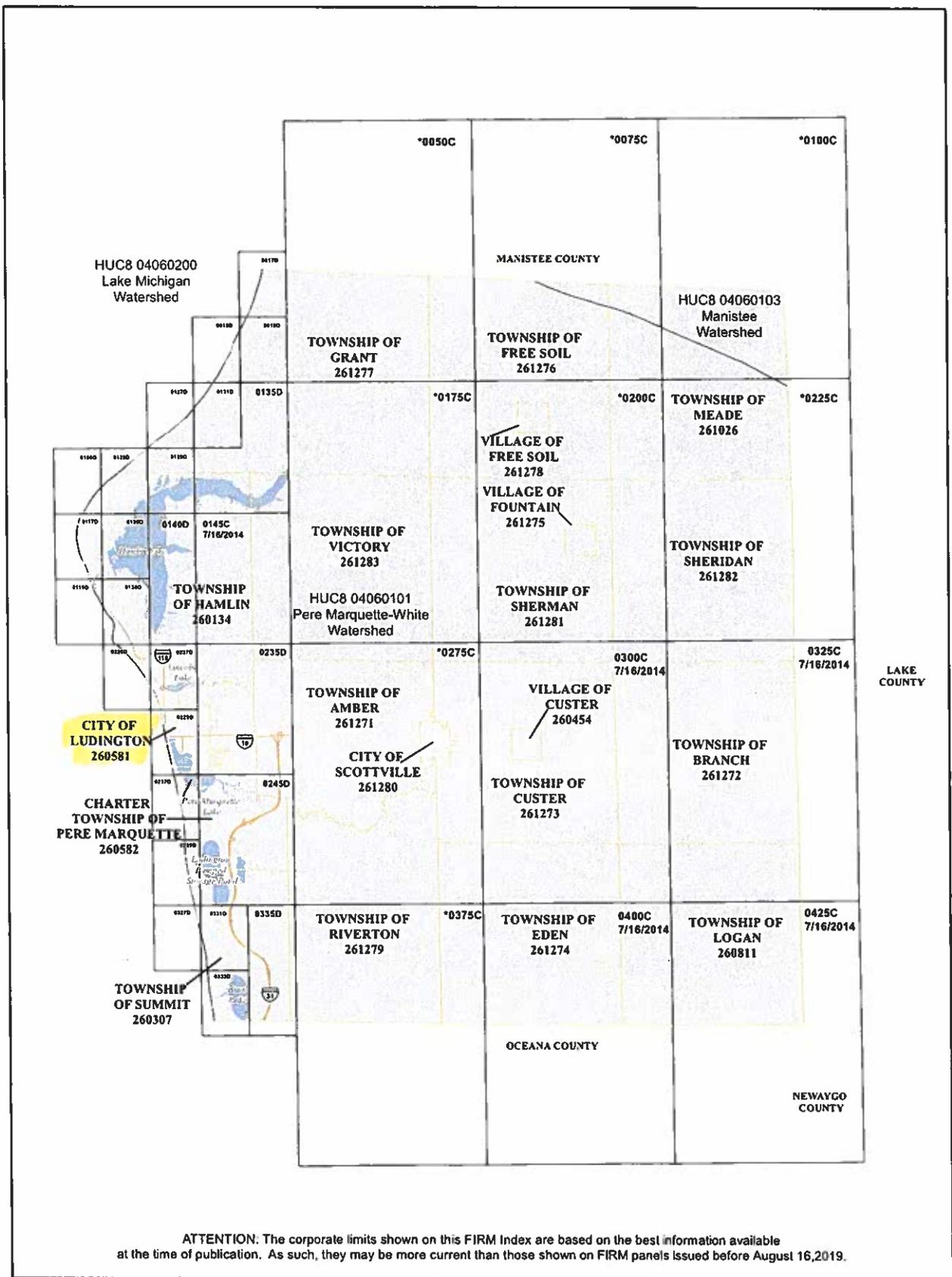
4. You have determined that your project is is not located in a floodplain/wetland.

The HUD 8 Step Process is is not required.

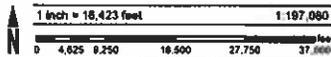
Please sign and date this form. Return with environmental review record documents to the Project Manager.

Signature:  _____

Date: 5/1/2020



ATTENTION: The corporate limits shown on this FIRM Index are based on the best information available at the time of publication. As such, they may be more current than those shown on FIRM panels issued before August 16, 2019.



Map Projection:
Universal Transverse Mercator Zone 16 North,
North American Datum 1983

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT

[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION

* PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS

COUNTY LOCATOR



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP INDEX

MASON COUNTY, MICHIGAN ALL JURISDICTIONS

PANELS PRINTED:

0017, 0018, 0019, 0109, 0117, 0119, 0127, 0128, 0129, 0131, 0135, 0136, 0138, 0140, 0145, 0226, 0227, 0229, 0235, 0237, 0239, 0245, 0300, 0325, 0327, 0331, 0333, 0335, 0400, 0425



FEMA

PRELIMINARY

MAP NUMBER

26105CINDMI

MAP REVISED

National Flood Hazard Layer FIRMeTte



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, AE, AP, AH, VE, AR
With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levees. See Notes. Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN
Area of Minimal Flood Hazard Zone X

Effective LOMRS

OTHER AREAS

Channel, Culvert, or Storm Sewer Structures
Levee, Dike, or Floodwall

20.2
17.5
Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transsect
Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transsect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped



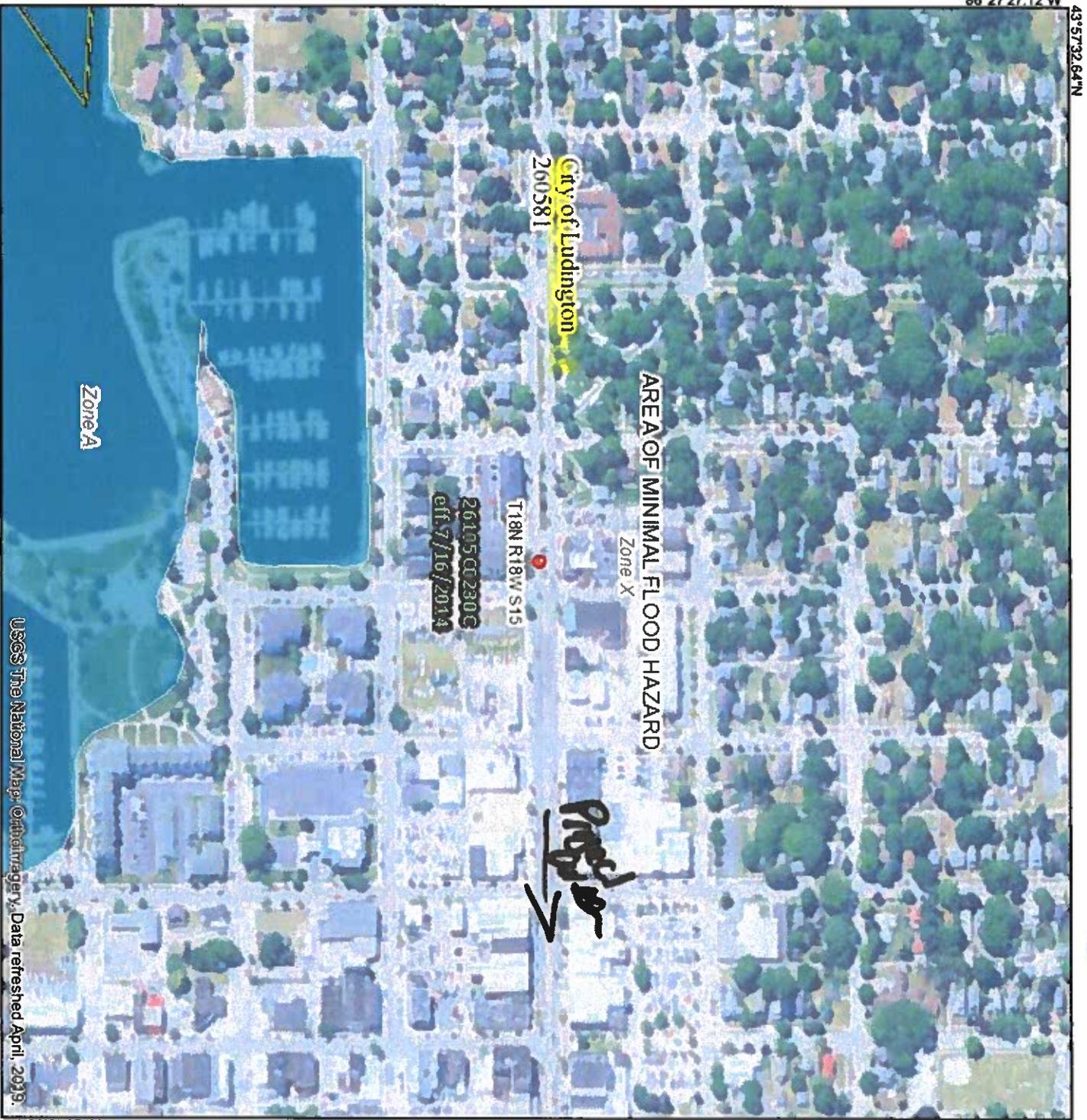
MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/21/2020 at 3:52:43 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMeTte panel number, and FIRMeTte effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



USGS The National Map, Orthoimagery, Data refreshed April, 2019.

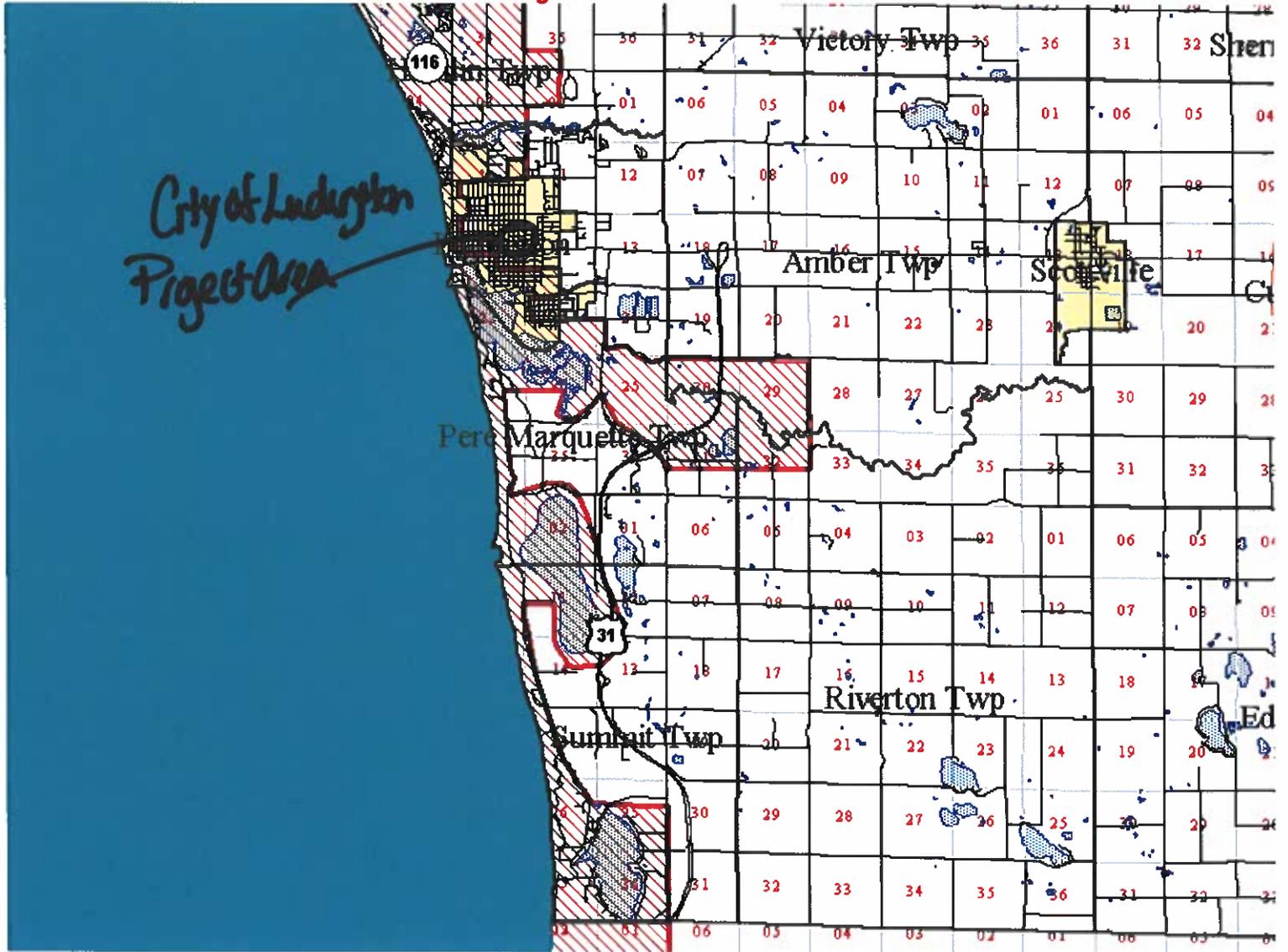
0 250 500 1,000 1,500 2,000 Feet

43°57'32.64\"/>

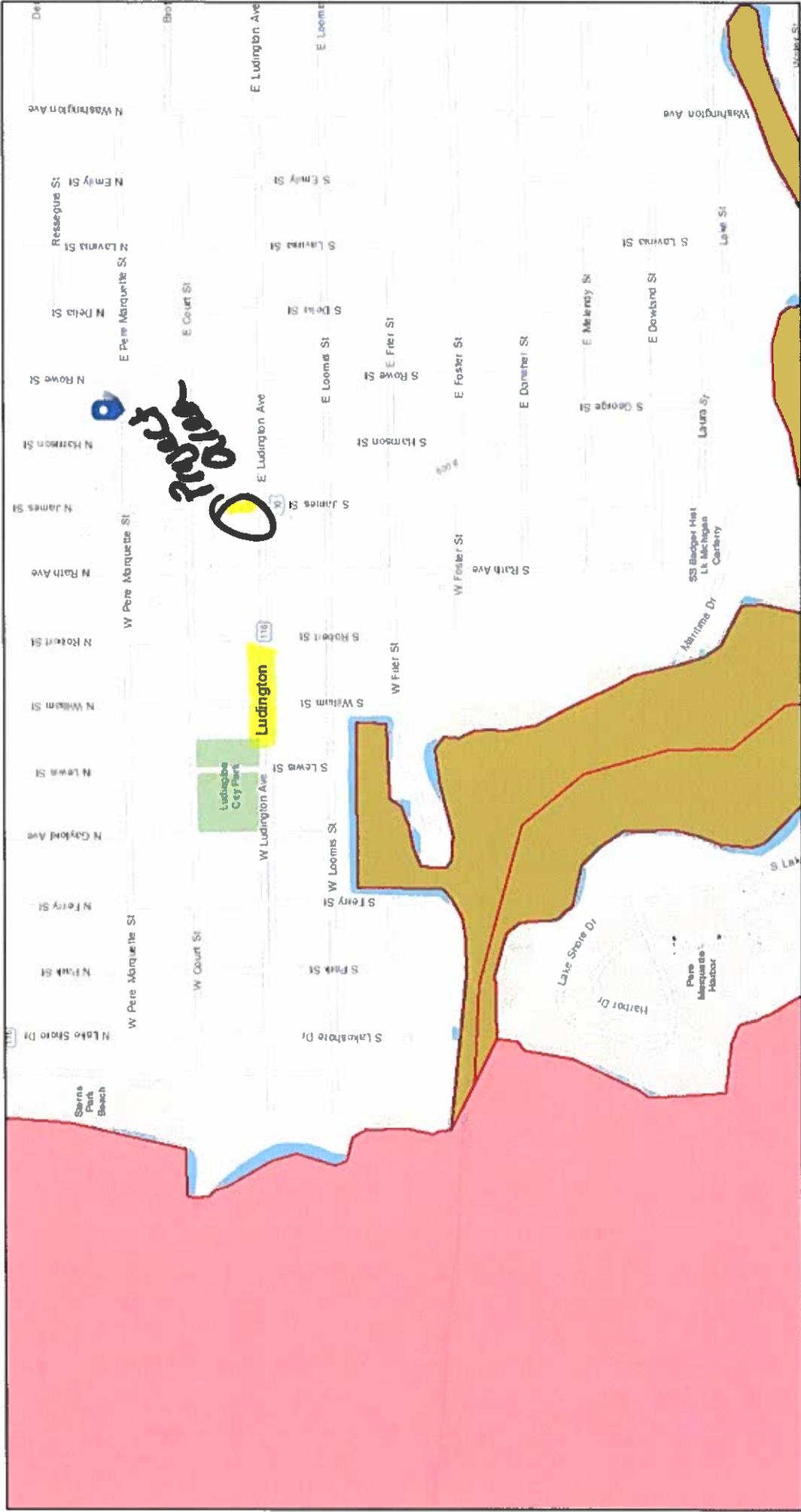
86°26'49.66\"/>

Mason County
Pere Marquette Township, T18N R18W, T18N R17W and T17N R18W
Ludington, T18N R18W
Amber Township, T18N R17W
Riverton Township, T18N R17W
Summit Township, T17N R18W

The heavy red line is the **Coastal Zone Management Boundary**
The red hatched area is the **Coastal Zone Management Area**



ArcGIS Web Map



4/21/2020, 3:07:56 PM

- Impaired Waterbodies
- Impaired Streams
- TMDL Waterbodies
- TMDL Streams

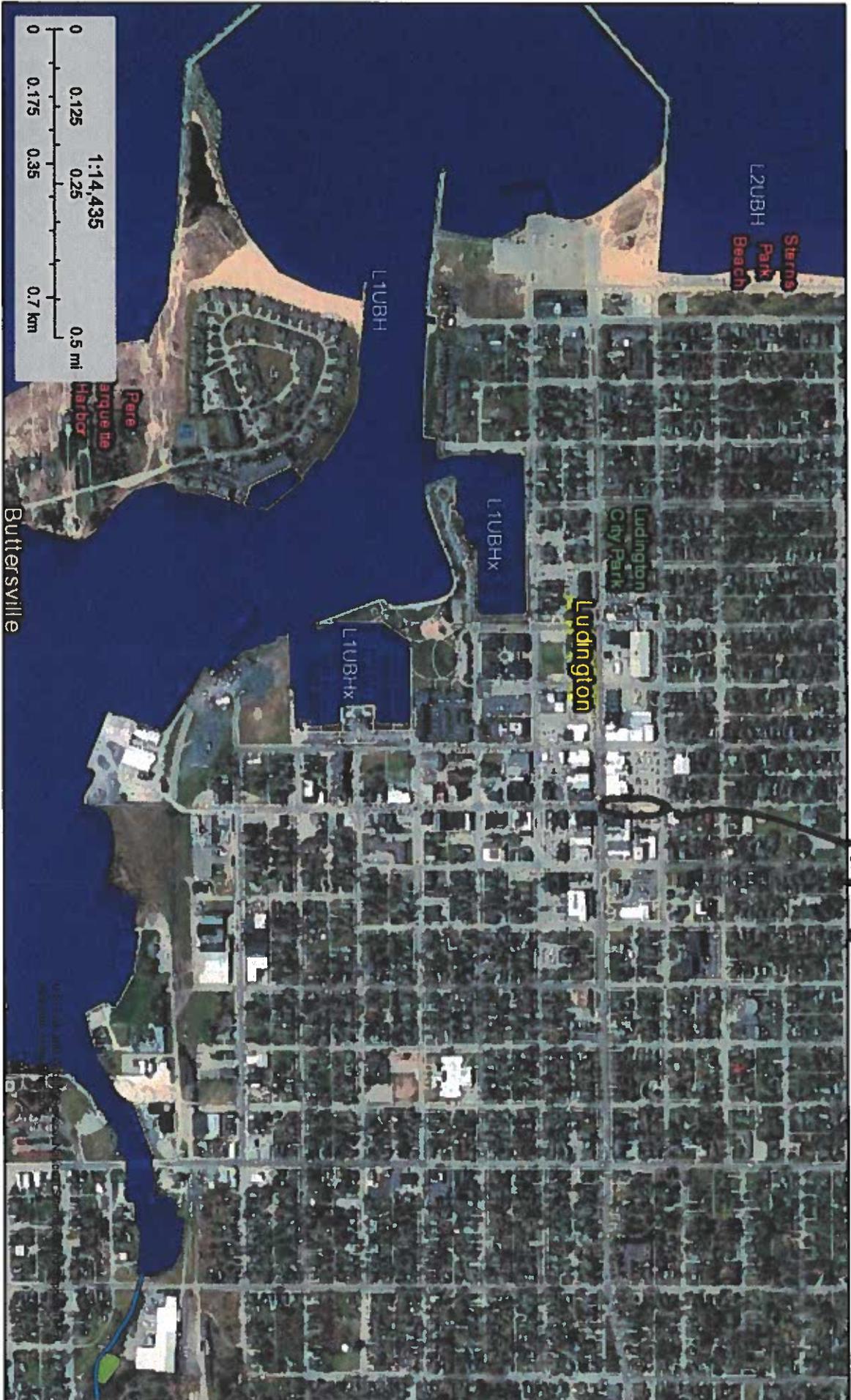
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri, Japan, METI, Esri, China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, US EPA Office of Water



U.S. Fish and Wildlife Service National Wetlands Inventory

Ludington Wetlands Map April 2020

Popper



April 21, 2020

Wetlands

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Other
-  Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Air Quality (CEST and EA)

General Requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

→ Continue to Question 2.

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oagps001/greenbk/>

No, project's county or air quality management district is in attainment status for all criteria pollutants

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

- Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

- 3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

- Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See EPA Sir Quality Index Report for Ludington Michigan- Attached

Are formal compliance steps or mitigation required?

Yes

No

Ludington, MI	254	244	10				64	46	35			254			
CBSA	#Days with AQI	#Days Good	#Days Moderate	#Days Unhealthy for Sensitive Groups	#Days Unhealthy	#Days Very Unhealthy	AQI Max	AQI 90th %ile	AQI Median	#Days CO	#Days NO2	#Days O3	#Days SO2	#Days PM2.5	#Days PM10

AirData reports are produced from a direct query of the AQS Data Mart. The data represent the best and most recent information available to EPA from state agencies. However, some values may be absent due to incomplete reporting, and some values may change due to quality assurance activities. The AQS database is updated by state, local, and tribal organizations who own and submit the data.

Readers are cautioned not to rank order geographic areas based on AirData reports. Air pollution levels measured at a particular monitoring site are not necessarily representative of the air quality for an entire county or urban area.

LAST UPDATED ON APRIL 4, 2019



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

Airport Runway Clear Zones (CENST) – PARTNER

<https://www.hudexchange.info/environmental-review/airport-hazards>

1. Does the project involve the sale or acquisition of developed property?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

2. Is the project in the Runway Protection Zone/Clear Zone (RPZ/CZ)¹?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

Yes → *Written notice must be provided to prospective buyers to inform them of the potential hazards from airplane accidents as well as the potential for the property to be purchased as part of an airport expansion project. [A sample notice is available through the HUD Exchange.](#)*

Provide a map showing that the site within RPZ/CZ. Work with the RE/HUD to provide written notice to the prospective buyers. Continue to the Worksheet Summary below.

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

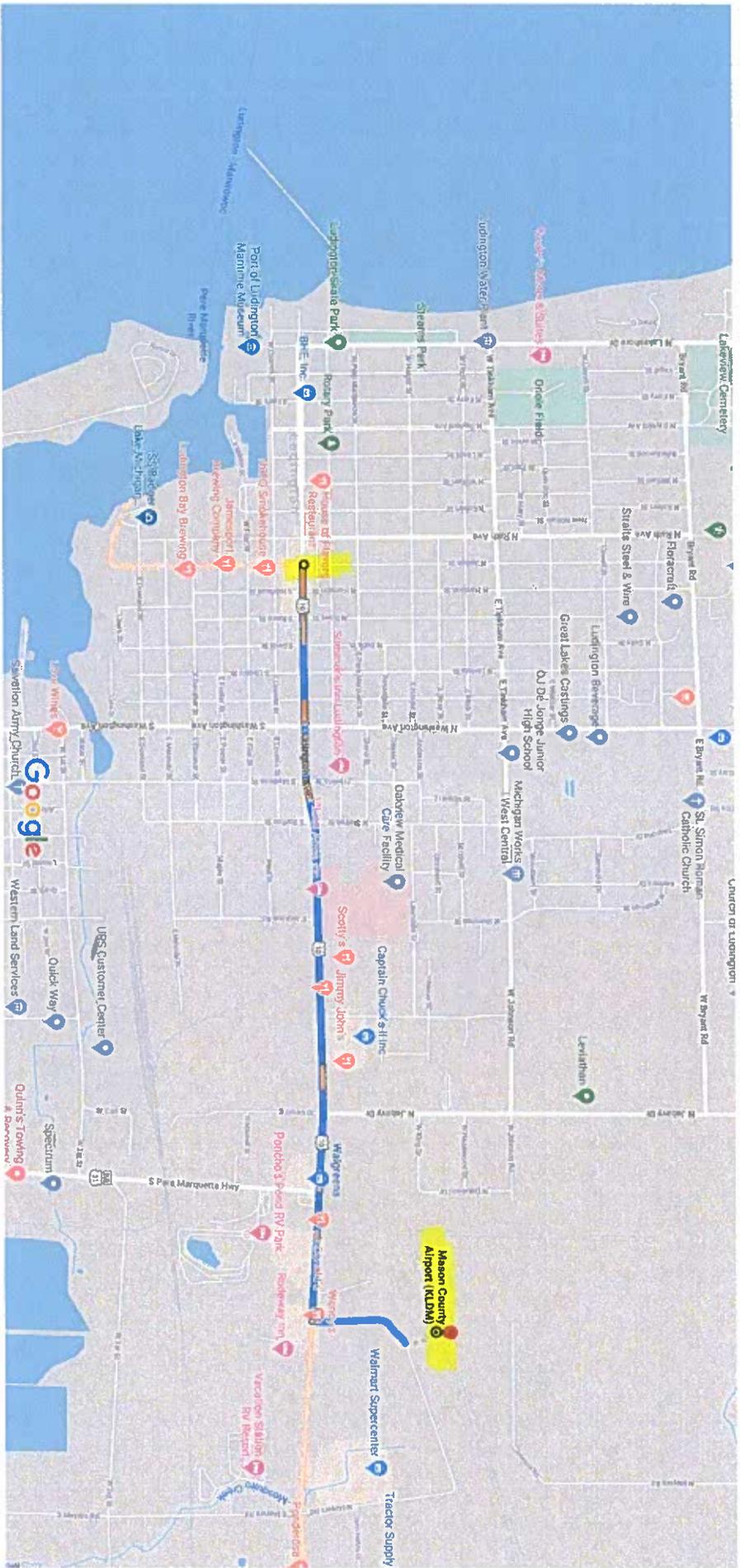
Include all documentation supporting your findings in your submission to HUD.

Maps attached showing the project areas distance is greater than 2500 feet

¹ Runway Protection Zone/Clear Zones are defined as areas immediately beyond the ends of runways. The standards are established by FAA regulations. The term in 24 CFR Part 51, Runway Clear Zones, was redefined in FAA's Airport Design Advisory Circular (AC) 150/5300-13 to refer to Runway Protection Zones for civil airports. See link above for additional information.

Google Maps 100 N James St, Ludington, MI to Mason County Airport (KLDM)

Drive 2.2 miles, 6 min



Map data ©2020 1000 ft



via US-10 E/E Ludington Ave

6 min

Fastest route, lighter traffic than usual

2.2 miles

> 2500ft.

Explore Mason County Airport (KLDM)



WAAS CH 49206 W26A	APP CRS 254°	Rwy Idg 5003 TDZE 646 Apt Elev 646
--------------------------	-----------------	---

RNAV (GPS) RWY 26

MASON COUNTY (LDM)

RNP APCH.

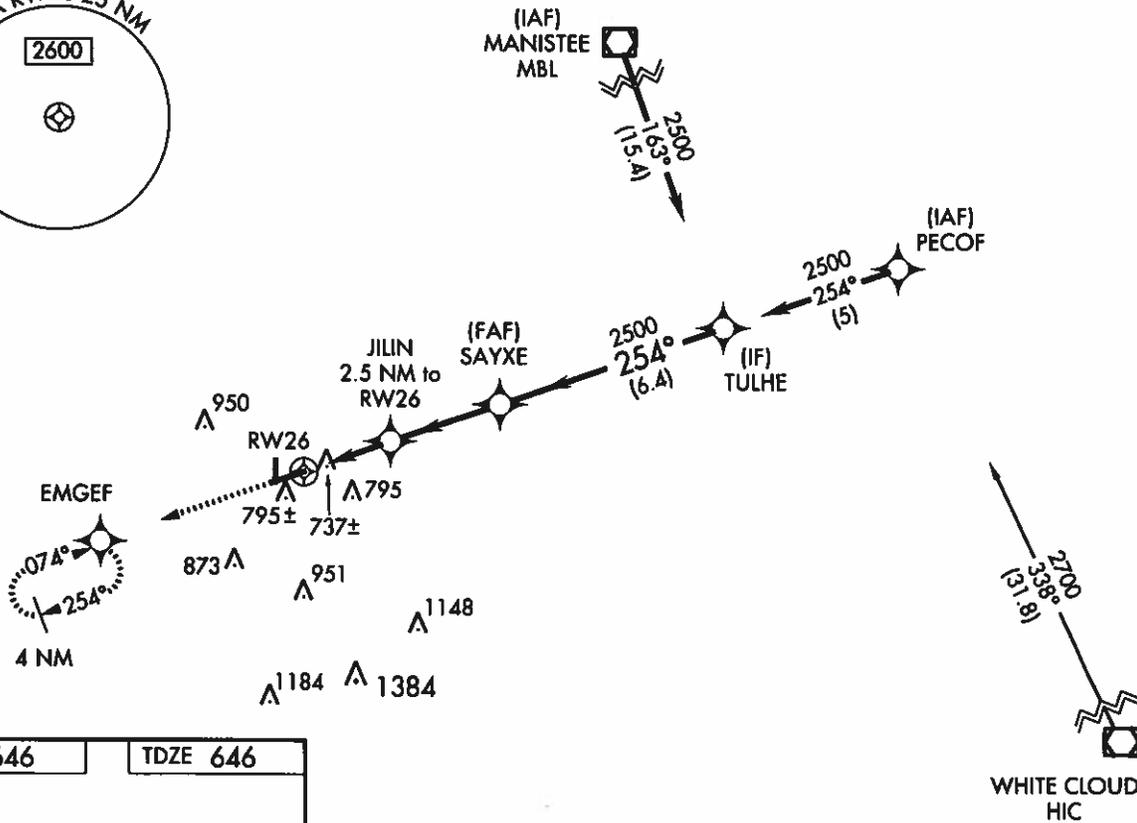
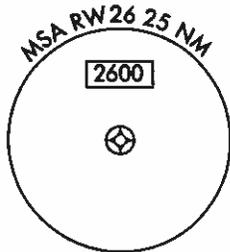
⚠ Circling Rwy 1, 19 NA at night. Rwy 26 helicopter visibility reduction below ¾ SM NA.
For uncompensated Baro-VNAV systems, LNAV/VNAV NA below -16°C or above 54°C.

MISSED APPROACH:
Climb to 2500 direct
EMGEF and hold.

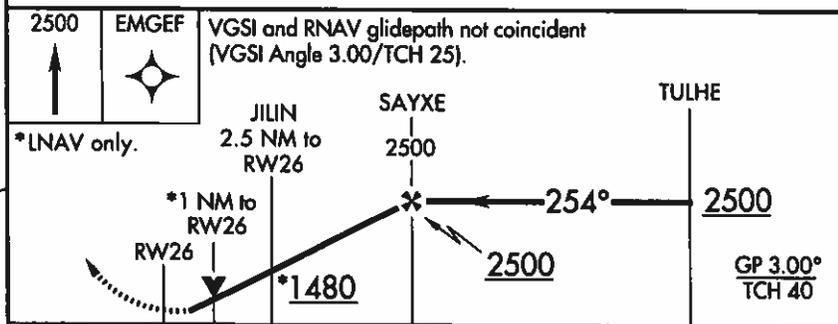
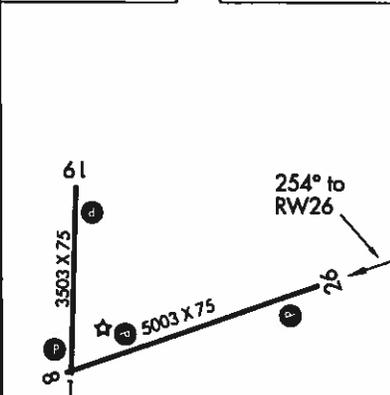
AWOS-3
119.925

MINNEAPOLIS CENTER
120.85 322.35

UNICOM
123.0 (CTAF) ①



ELEV 646 TDZE 646



2500	EMGEF	VGSi and RNAV glidepath not coincident (VGSi Angle 3.00/TCH 25).			
*LNAV only.		JILIN 2.5 NM to RW26	SAYXE 2500	TULHE	2500
		*1 NM to RW26	254°	GP 3.00°	TCH 40
		1 NM	1.5	3.1 NM	6.4 NM
CATEGORY	A	B	C	D	
LPV DA	975-1¼		329 (400-1¼)		
LNAV/VNAV DA	1020-1¼		374 (400-1¼)		
LNAV MDA	1000-1	354 (400-1)	1000-1¼		354 (400-1¼)
CIRCLING	1160-1	514 (600-1)	1200-1½	1300-2	554 (600-1½) 654 (700-2)

REIL Rwy 26 ①
MIRL Rwy 8-26 and 1-19 ①

EC-1, 26 MAR 2020 to 23 APR 2020

EC-1, 26 MAR 2020 to 23 APR 2020

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes → *Continue to Question 2.*

No

Explain how you determined that agricultural land would not be converted:

The Project takes place in the Downtown Area of the City of Ludington. This is an urban setting with no Farmland in the project area or adjacent to it.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.*

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes → *Continue to Question 3.*

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.

(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)

- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

- Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- Project will proceed without mitigation.

Explain why mitigation will not be made here:

No farmland is present therefore not mitigation is needed.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The City of Ludington Downtown area is not zoned for Farmland, nor is any present. The City of Ludington Zoning Ordinance can be found online at:

<https://www.ludington.mi.us/DocumentCenter/View/188/Ludington-Zoning-Ordinance-23-00-PDF?bidId=>

Are formal compliance steps or mitigation required?

Yes

No

Noise (CEST Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ *Continue to Question 4.*

- Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

Yes

Indicate the type of measures that will apply (check all that apply):

Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)

Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)

Other

Explain:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.

No

→ Continue to Question 3.

3. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport). Describe findings of the Preliminary Screening:

→ Continue to Question 6.

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport). Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.

→ Continue to Question 5.

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

Is the project in a largely undeveloped area¹?

No

→Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Yes

→Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.

Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project does not meet Title 24 CFR 51 Subpart B as it does not involve residential properties and is therefore in compliance and no further mitigation is needed.

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

→ Continue to Question 2.

Yes

Explain:

→ Go directly to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

→ Continue to Question 3.

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "no." For any other type of aboveground storage container within the search area that holds one of the

flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer “yes.”

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

Yes

→ Continue to Question 4.

4. Visit HUD’s website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:

- Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
- Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No

→ Go directly to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See email attached from Lara Storage tank division and maps. However, no activities: development, construction, rehabilitation involved in this project will increase residential densities, or conversion. Therefore no further review is necessary

Are formal compliance steps or mitigation required?

- Yes
 No

Heather Tykoski

From: Read, Karl (LARA) <ReadK@michigan.gov>
Sent: Tuesday, April 28, 2020 10:39 AM
To: Heather Tykoski
Subject: RE: Ludington above ground storage tanks

Heather,

Here are the AST tanks that are near the location of your project, I'm doubting if any are with in the mile radius we spoke about with the exception of Great Lakes Castings. Please let me know if there is anything else I can do for you. Stay well.

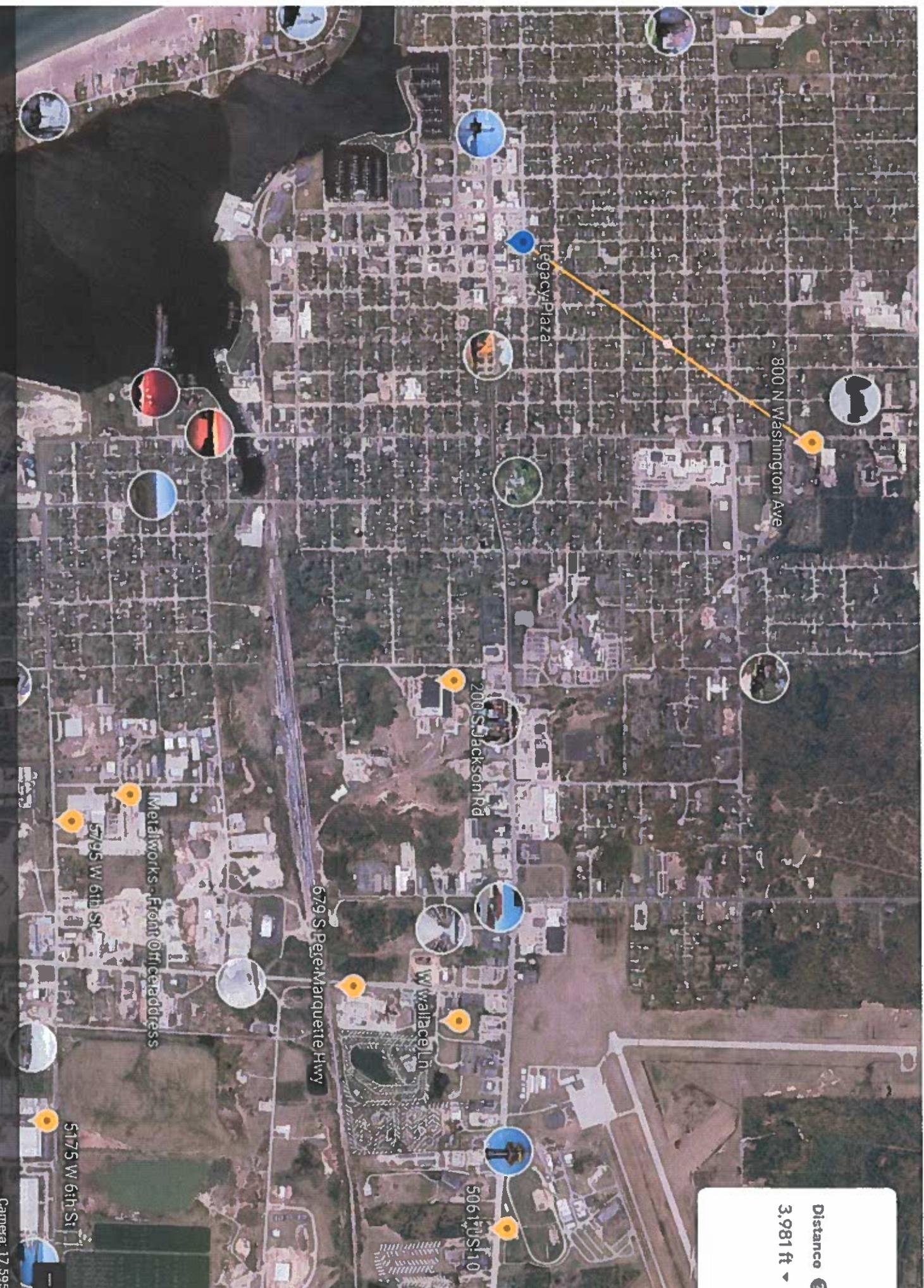
Grand Rental 5061 W US Hwy 10
Great Lakes Casting 800 N. Washington St.
Harsco Track Tech 200 S Jackson rd.
Metal Works 902 4th St.
Poncho Pond RV Park. 53335 W. Wallace.
Towns Brothers 679S Pere Marquette.
Whitehall Industries 5175 W 6th St.
Michigan Powers LTD. 5795 W 6th St.

From: Heather Tykoski <htykoski@ci.ludington.mi.us>
Sent: Tuesday, April 28, 2020 9:27 AM
To: Read, Karl (LARA) <ReadK@michigan.gov>
Subject: Ludington above ground storage tanks

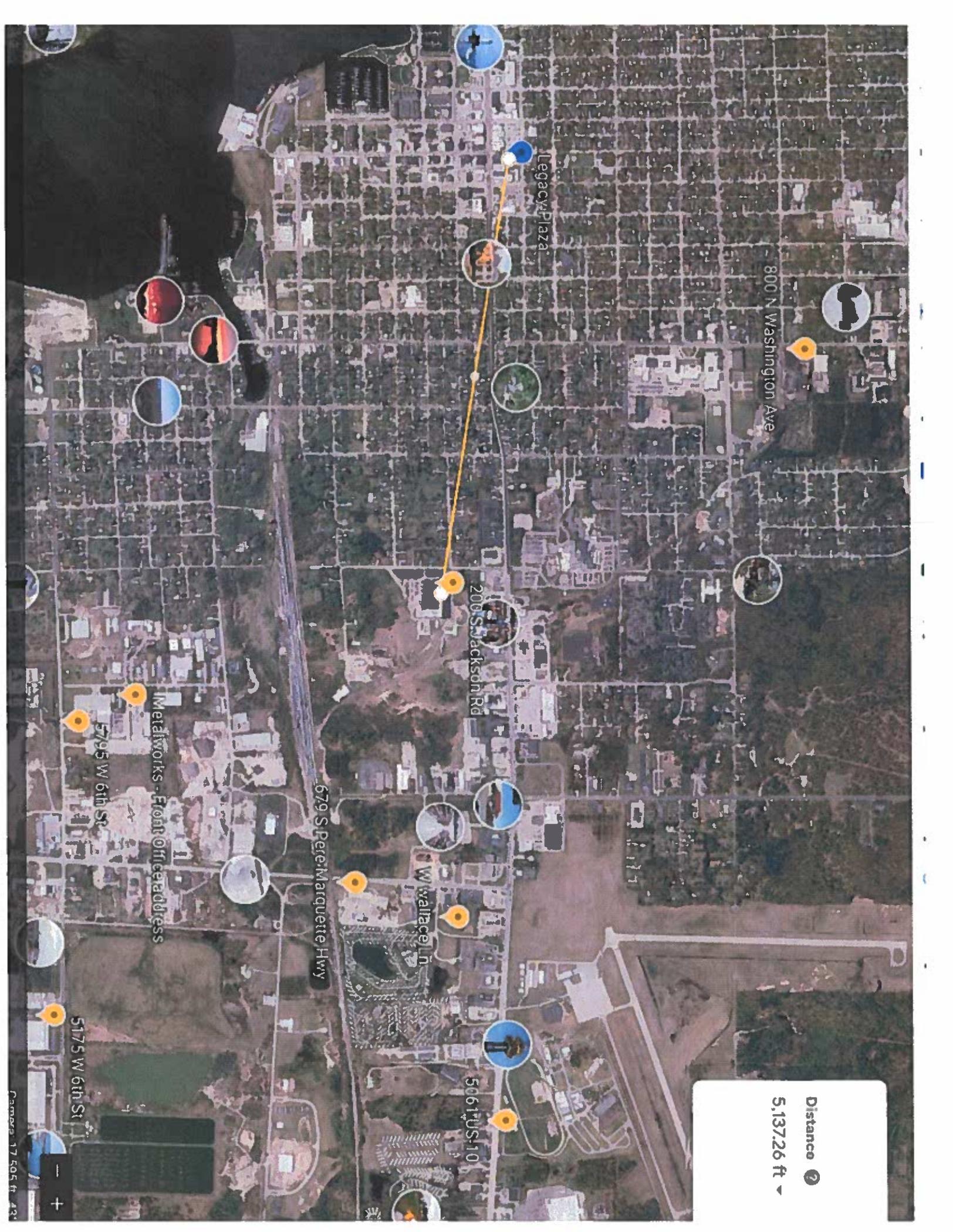
CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Hi Karl,

Thank you for looking into the above ground storage tanks in the Ludington area for our environmental review. I appreciate it.



Distance
 3,981 ft



800 N Washington Ave

Legacy Plaza

200 S Jackson Rd

679 S Pere Marquette Hwy

Wallace Ln

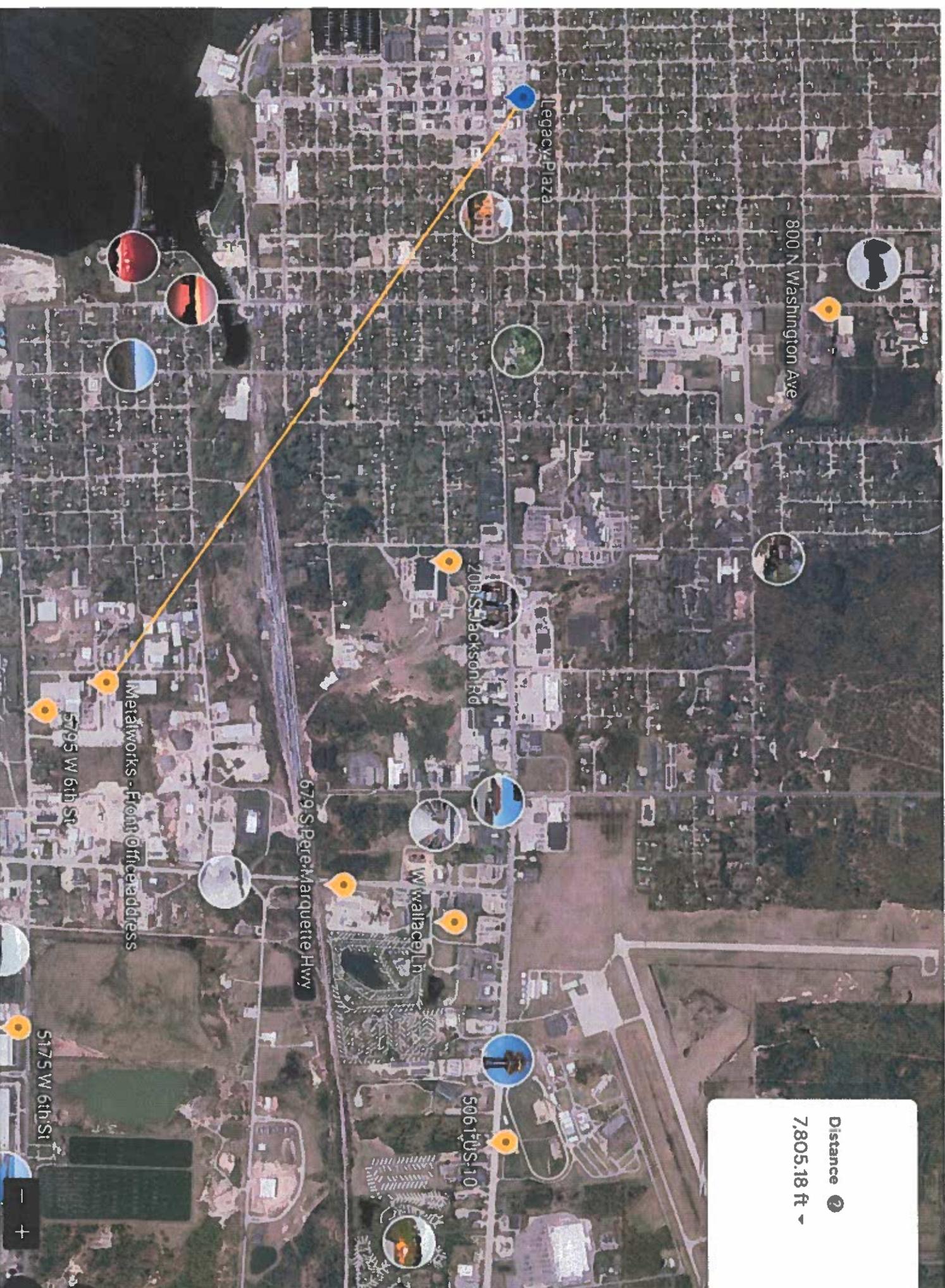
5061 US-10

Metaworks - Front Office address

5795 W 6th St

5175 W 6th St

Distance 5,137.26 ft



Distance
 7,805.18 ft

Legacy Plaza

800 N Washington Ave

208 S Jackson Rd

W Wallace Ln

5061 US-10

679 S Pere Marquette Hwy

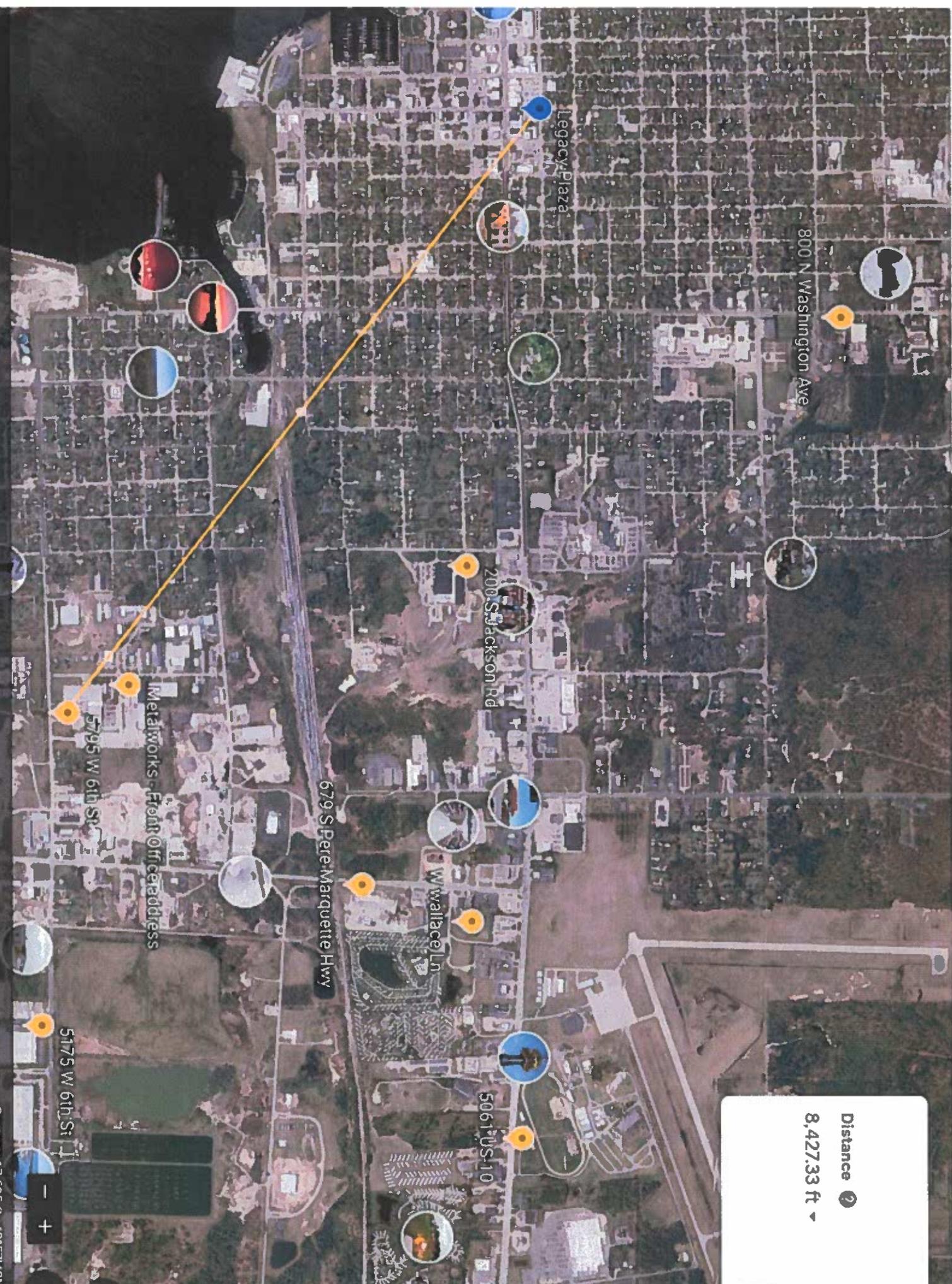
Metalworks - Front Office address

5795 W 6th St

5175 W 6th St



Distance ?
8,427.33 ft ▾



Legacy Plaza

800 N Washington Ave

200 S Jackson Rd

679 S Pere Marquette Hwy

W Wallace Ln

5061 US-10

5795 W 6th St

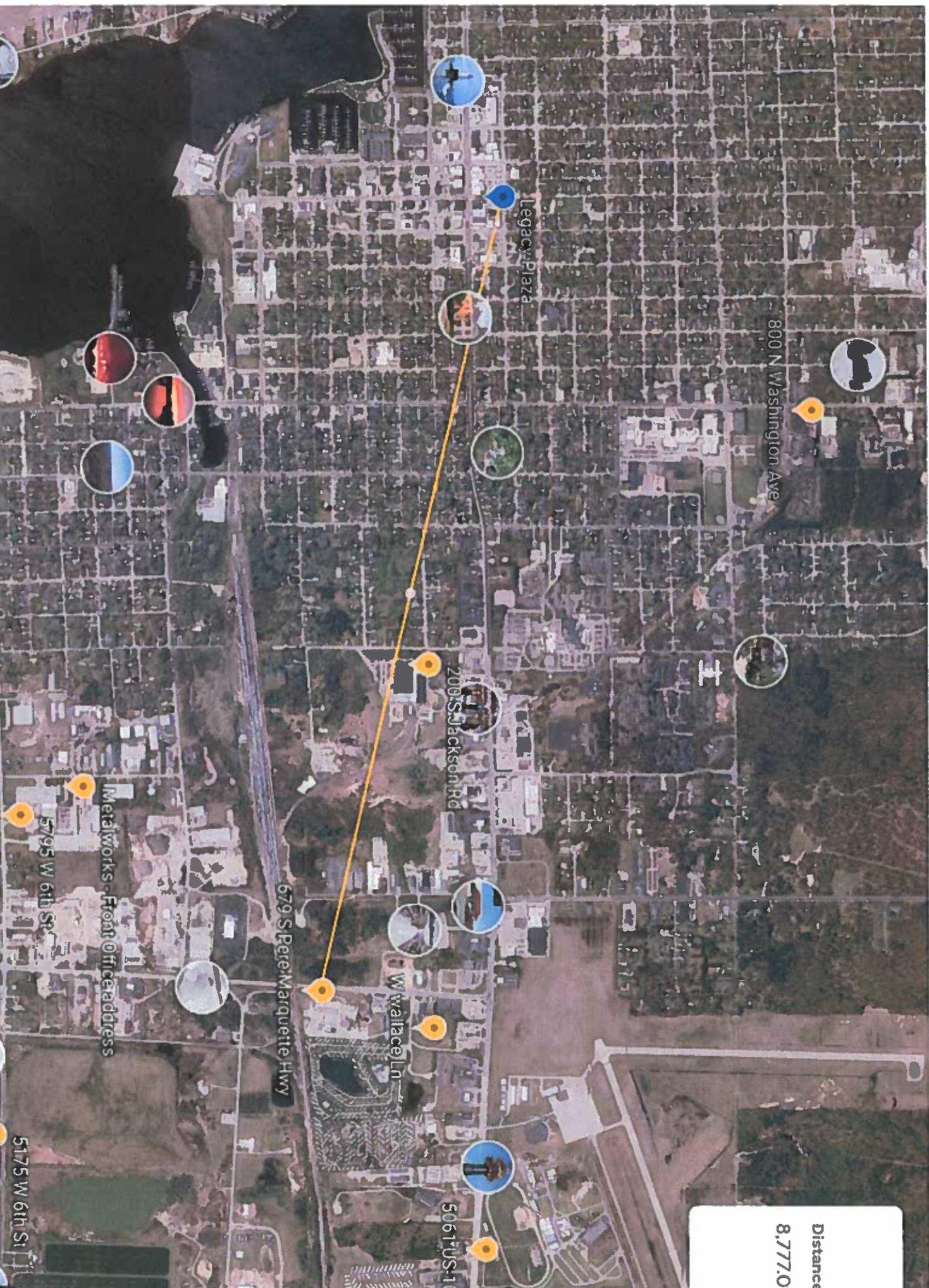
5175 W 6th St

Metalworks - From Off address

- BASIC Headquarters
- Double up food bu...
- Delphi invoicing S...
- MEDC Box
- Homepage - Michi...
- IntelliGrants - Login
- HUD Exchange Envl...

Distance 2
8,968.38 ft





Distance
8,777.05

5175 W 6th St

5061 US-10

Metalsworks - Front Office address

5795 W 6th St

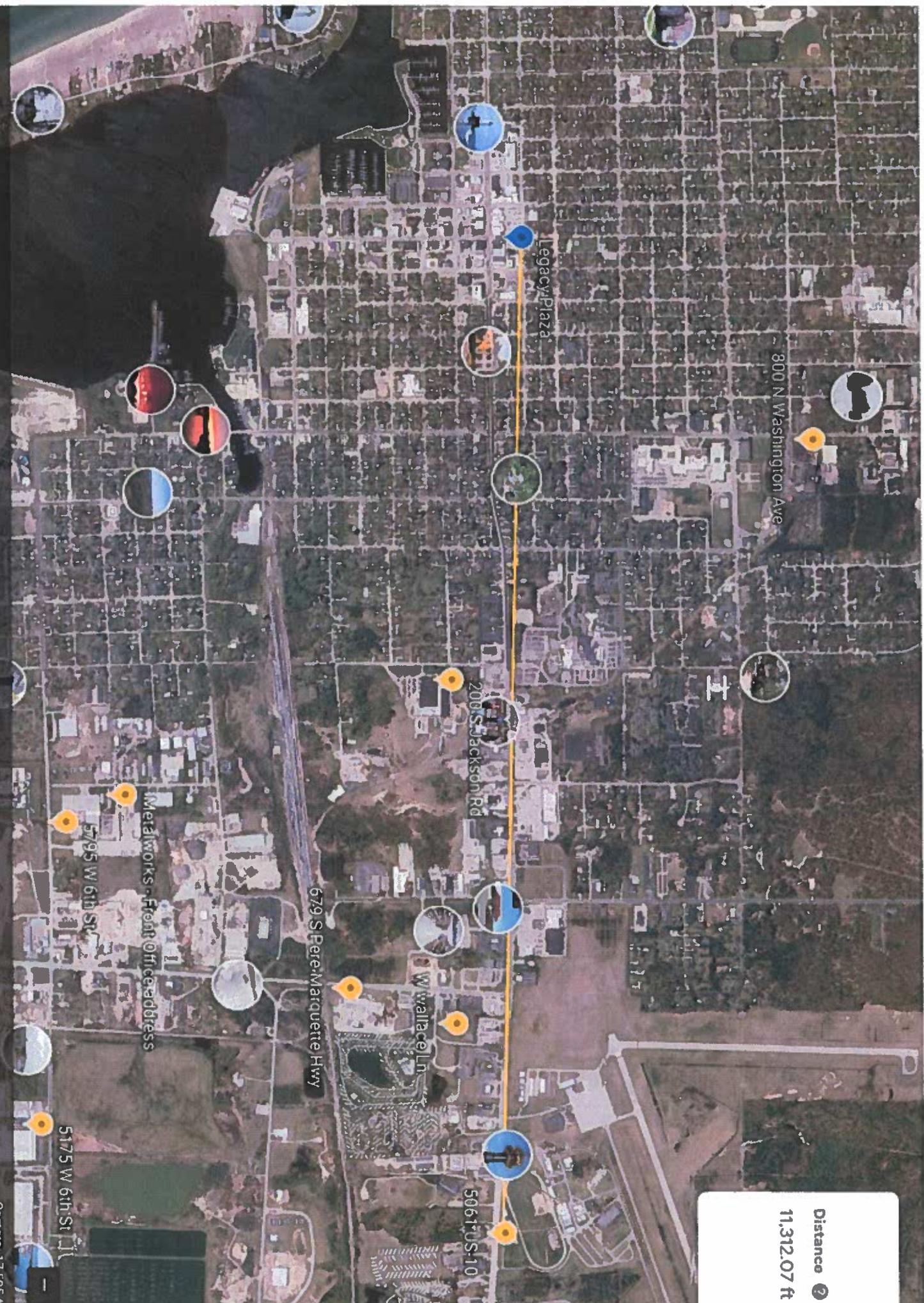
679 S Pere Marquette Hwy

W Wallace Ln

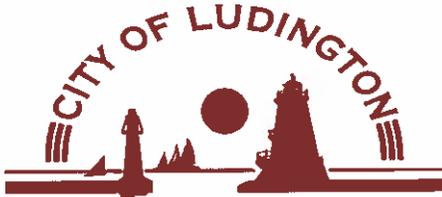
200 S Jackson Rd

Legacy Plaza

800 N Washington Ave



Distance 11,312.07 ft



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

April 28, 2020

Heather Tykoski
Community Development
City of Ludington
400 S. Harrison St.
Ludington, MI 49431

Dear Mrs. Tykoski:

This letter is written to address environmental concerns for the Downtown Rental Rehabilitation Project.

City water and sewer service the entire project area. The project will not impact these services in anyway. Improvements will be an added benefit for the downtown area.

If you need any additional information, do not hesitate to call.

Sincerely,

Jamie Hockemeyer
Water Treatment Plant Superintendent

On the Shores of Lake Michigan



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM FZDEBSKI, CITY TREASURER

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

April 28, 2020

Heather Tykoski
Community Development
City of Ludington
400 S. Harrison St.
Ludington, MI 49431

Dear Mrs. Tykoski:

This letter is written to address environmental concerns for the James Street/Legacy Plaza Project.

City water and sewer service the entire project area. The project will not impact these services in anyway. Improvements will be an added benefit for the downtown area.

If you need any additional information, do not hesitate to call.

Sincerely,

Chris Cossette
Wastewater Treatment Director

On the Shores of Lake Michigan

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References		
https://www.hudexchange.info/environmental-review/environmental-justice		

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

Explain:

→ *Continue to Question 3. Provide any supporting documentation.*

No

Explain:

→ *Continue to the Worksheet Summary and provide any supporting documentation.*

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

→ Continue to Question 4.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

→ Continue to the Worksheet Summary and provide any supporting documentation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project creates and renovates a public space. It has no adverse impact on low and moderate income individuals.

Are formal compliance steps or mitigation required?

Yes

No



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
TOM EZDEBSKI, CITY TREASURER

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

April 28, 2020

Heather Tykoski
Community Development
City of Ludington
400 S. Harrison
Ludington, MI 49431

Dear Mrs. Tykoski

This letter is written to address environmental concerns for the N James Street/Legacy Plaza Project.

The entire proposed area is covered by the Ludington City Fire Department. No thermal/explosive hazards exist within the area.

The Fire Department fully supports the project and believes that improving the area will decrease First Responder calls for tripping hazards and related risks.

If you need any additional information, do not hesitate to call.

Sincerely,

Gerald J. Funk
Fire Chief

On the Shores of Lake Michigan

Mailing List For Interested Parties
City of Ludington Rental Rehabilitation Community Development Block Grant

Person/Agency

- West Michigan Shoreline Regional Development Commission
ATTN: Erin Kuhn Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440

- US Environmental Protection Agency
77 West Jackson Blvd.
Chicago, IL 60604

- US Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

- Department of Technology Management and Budget
State Budget Offices
Lewis Cass Bldg, 2nd floor
320 S. Walnut Street
PO Box 30026
Lansing, MI 48913

- Mason County Health Department
Health Hazards
916 Diana St.
Ludington, MI 49431

- Fabian Knizacky
Mason County Courthouse
304 E. Ludington Ave.
Ludington, MI 49431

- Keith E. Hernandez Director, CPD
U.S Department of Housing & Urban Development Detroit Field Office
Patrick V. McNamara Federal Building
477 Michigan Avenue 17th Floor
Detroit, MI 48226-2592

- Michigan Department of Environmental Quality
Director: Liesl Eichler Clark
Constitution Hall
525 West Allegan
P.O. Box 30473
Lansing, MI 48909

Lac du Flambeau Band of Lake Superior Chippewa Indians
of the Lac du Flambeau Reservation of Wisconsin
Melinda Young, Tribal Preservation Officer
Henry Butch St. Germaine, Chairman
PO Box 67 Lac du Flambeau, WI 54538

Grand Traverse Band of Ottawa and Chippewa Indians
Chairperson: Thurlow Samuel McClellan
2605 N. W. Bayshore Dr.
Suttons Bay, MI 49682

Little River Band of Ottawa Indians
Ogema: Larry Romanelli
THPO: Jay Sam
2608 Government Center Dr.
Manistee, MI 49660

Little Traverse Bay Bands of Odawa Indians
Chairperson: Regina Gasco-Bentley
THPO: Wesley Andrews
Government Center
7500 Odawa Circle
Harbor Springs, MI 49740

Sault Ste. Marie Tribe of Chippewa Indians
Chair: Aaron Payment
Cultural Repatriation Specialist: Colleen Medicine
523 Ashmun St.
Sault Ste. Marie, MI 49783

Menominee Indian Tribe of Wisconsin
Chairwoman: Joan Delabreau
Tribal Historic Preservation Officer: David Grignon
PO Box 910
Keshena, WI 54135-0910

Miami Tribe of Oklahoma
Chief: Douglas Lankford
THPO: Diane Hunter
PO Box 1326 Miami, OK 74355

Red Lake Band of Chippewa Indians, Minnesota
Chairperson: Darrell Seki
THPO: Kade Ferris
PO Box 274
Red Lake, MN 56671

9&10 NEWS
1 Broadcast Way
CADILLAC, MI 49601

WPBN-WTOM
TV 7&4
8513 East Traverse Hwy
Traverse City, MI 49685

Synergy Media Inc.
5941 W US 10
Ludington, MI 49431

Ludington Daily News
Attn: David Bossick, Editor
202 N Rath Ave.
Ludington, MI 49431

Date of Distribution: May 5, 2020

Signed: _____

Title: Community Development Director

DETERMINATION OF LEVEL OF ENVIRONMENTAL REVIEW

CERTIFYING OFFICER

(name) Mitch Foster , (title) City Manager is designated the environmental certifying officer for the CDBG project described below. I certify that

PROJECT INFORMATION

Grantee (Unit of General Local Government) City of Ludington

Grantee Address 400 S Harrison Street

Grantee Contact Person Name and Phone Heather Tykoski 231-845-6237

Other Project Contact Person Name and Phone Mitch Foster 231-845-6237

Grant Number (if assigned) _____

Project Title Legacy Plaza

Project Description (provide in separate, attached sheets)

Creating a gathering place in Downtown became a priority for the Downtown Ludington Board (aka the DDA) when it realized that this was an essential move to get more people playing, shopping, and overall congregating in Downtown. The Economic impact of this type of development was supported through placemaking research.

The goal of this project has several components that make this a crucial development for the City of Ludington and the Downtown Area. First, this will create an event space with a permanent pavilion, year-round bathroom structure and event storage, fireplace, and a great public gathering place in the heart of Downtown Ludington. However, here is a deeper meaning to the name "Legacy Plaza" ... This area will take visitors on a walk-through Ludington's History, a way to honor the past and utilize the space adequately for present and future needs. When entering the plaza, visitors will be greeted with a nod to our maritime history. A sculpture made from parts of the Carferry, a part of the proud Maritime History of Ludington, will be the first visible nod to Ludington's identity. Next, a fireplace will become visible, the fireplace will represent the three tribes that were the first people to settle this area. The Council of the Three Fires was representative of the Ottawa, the Ojibwa, and the Potawatomi people. In meeting with the Ogemaw for the Little River Band of Ottawa Indians, Ogemaw Romanelli was very supportive of this way of honoring the past contributions of Native Americans in the Ludington Area. In addition to the fireplace, it has been learned that the Little River Band has only 3 fluent native speakers of the Ojibwa language. It is the intention to honor that language in this area as well. This will be done in close relationship with the tribe to ensure the proper respect is given. The next element honoring Ludington's past will be in the pavilion structure itself. The structure will be built with timber components to honor the vast lumbering heritage of Ludington. The north end of the plaza will be home to the relocated clock tower that was placed on Ludington Avenue in the 1980's. It will remain part of the newly renovated park and with cap off the north entrance.

With these renovations, the area will be able to house festivals and events and become a gathering place that truly speaks of Ludington's current atmosphere as well as honors its roots. \$2,123,190.00 in CDBG funding and \$235,910.00 in Local/Private funding will be used for the construction of the plaza.

Existing Conditions and Trends: Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)]
The plaza has evolved gradually over the past 12 years, but still looks much like a road with curbing and tripping hazards. The DDA has added some tables to the area and added some concrete on the north end to make it possible to start a Farmer's Market but the area is in need of an overhaul to truly serve the community.
Plans created in 2016, and recently updated on 2019, have been shared at a variety of meetings and committees.

PROJECT DETERMINATION (completed by the Environmental Review Officer)

All project activities have been reviewed and the project meets the following environmental determination:

- Exempt
- Categorically Excluded Not Subject To §58.5
- Categorically Excluded Subject To §58.5
- Environmental Assessment
- Environmental Impact Statement



Certifying Officer Signature
Type or Print Name

Date

5/5/2020

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

____May 5, 2020____

City of Ludington
(Address)

400 S Harrison Street Ludington, MI 49431
(Street, City, Zip Code)

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

On or about June 6, 2020, the above-named City of Ludington will request the state of Michigan to release Federal funds under Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) for the following project:

N James Street Plaza
(Project Title or Name)

Construction/renovation of the N James Street Plaza Area
(Purpose or Nature of the Project)

City of Ludington, Mason County, Michigan
(Location - City, County, State - of Project)

\$2,359,100.00
(Estimated Cost of Project)

An Environmental Review Record respecting the aforementioned project has been made by the above-named City of Ludington which documents the environmental review of the project. This Environmental Review Record is on file at the above address and is available for public examination and copying, upon request between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Please contact Heather Tykoski at 231-845-6237 for further information.
Name Phone Number

The City of Ludington will undertake the project described above with Community Development Block Grant funds, under Title I of the Housing and Community Development Act of 1974. The City of Ludington is certifying to the State of Michigan that the City of Ludington and Mitch Foster in his official capacity as City Manager, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the City of Ludington may use the CDBG funds, and the State of Michigan will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

The State of Michigan will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: (a) that the certification was not in fact executed by the chief

executive officer or other officer of applicant approved by the State of Michigan; or (b) that applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process.

Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to the State of Michigan, MEDC, 300 North Washington Square, Lansing, Michigan 48913.

Objections to the release of funds on bases other than those stated above will not be considered by the State of Michigan. Potential objectors should contact the MEDC to verify the actual last day of the objection period.



Signature of Certifying Officer

Mitch Foster

Print Name

City Manager

Title

400 S Harrison Street

Address

**COMBINED NOTICE
NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT
ON THE ENVIRONMENT AND
NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS**

Date Published May 5, 2020

City of Ludington
(Name of Applicant)

400 S Harrison Street Ludington, MI 49431
(Street, City, Zip Code)

231-845-6237
(Telephone Number)

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about June 6, 2020 the above-named City of Ludington will request the Michigan Strategic Fund to release Federal funds under Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) for the following project:

N James Street Plaza
(Project Title or Name)

Creation of a public plaza with pavilion structure, new bathrooms, improved sidewalks, green spaces, raingardens, and historically relevant components
(Purpose or Nature of the Project)

City of Ludington, Mason County, Michigan
(Location - City, County, State - of Project)

\$2,359,100.00
(Estimated Cost of Project)

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above-named City of Ludington has decided not to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (P.L. 91-190).

The reasons for such decision not to prepare an EIS are as follows:

1.) Consistency Findings or compliance with 58.5 or 50.4 as appropriate, (National Historic Preservation Act, Executive Order (EO) 11988 on Floodplain Management, EO 11990 on Protective Wetlands, Coastal Zone Management Plan, Sole Source Aquifers, Endangered Species Act, Clean Air Act, EO12898 on Environmental Justice,

2.)

3.)

An Environmental Review Record respecting the proposed project has been made by the above-named City of Ludington which documents the environmental review of the project and more fully sets forth the reasons why an EIS is not required. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request at The City Municipal building ___ between the hours of 8am and 5pm___. The record will also be available on the city web site at www.ludington-mi.gov

No further environmental review of such project is proposed to be conducted prior to the request for release of federal funds.

Public Comments on Finding

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by the City of Ludington to the Community Development Department on or before May 20, 2020. All such comments so received will be considered and the City of Ludington will not request the release of federal funds or take any administrative action on the proposed project prior to the date specified in the preceding sentence.

Release of Funds

City of Ludington will undertake the project described above with Community Development Block Grant funds from the Michigan Strategic Fund under Title I of the Housing and Community Development Act of 1974. City of Ludington is certifying to the Michigan Strategic Fund that City of Ludington and Mitch Foster in his official capacity as City Manager consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval City of Ludington may use the Block Grant funds and the Michigan Strategic Fund will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to Michigan Strategic Fund Release of Funds

The Michigan Strategic Fund will accept an objection to its approval only if it is on one of the following bases:

- a) The certification was not in fact executed by the responsible entity's Certifying Officer
- b) The responsible entity has failed to make one of the two findings pursuant to 58.40 or to make the written determination required by 58.35, 58.47 or 58.53 for the project, as applicable.
- c) The responsible entity has omitted one or more of the steps set forth at subpart E of this part for the preparation, publication and completion of an EA.
- d) The responsible entity has omitted one or more of the steps set forth at subparts F and G of this part for the conduct, preparation, publication and completion of an EIS.
- e) The recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by this part before release of funds and approval of the environmental certification by HUD (or the state).
- f) 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 to the Michigan Strategic Fund, c/o Michigan Economic Development Corporation, 300 North Washington Square, 4th Floor, Lansing, Michigan 48913.

Objections to the release of funds on bases other than those stated above will not be considered by the Michigan Strategic Fund. No objection received after June 5, 2020 will be considered by the Michigan Strategic Fund.



Signature of Certifying Officer

Mitch Foster

Print Name

City Manager

Title

400 S Harrison Street Ludington, MI 49431

Address

**COMBINED NOTICE
NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT
ON THE ENVIRONMENT AND
NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS**

Date Published: May 5, 2020
City of Ludington
400 S Harrison Street Ludington, MI 49431
231-845-6237

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about June 6, 2020 the above-named City of Ludington will request the Michigan Strategic Fund to release Federal funds under Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) for the following project:

N James Street Plaza
Creation of a public plaza with pavilion structure, new bathrooms, improved sidewalks, green spaces, raingardens, and historically relevant components
City of Ludington, Mason County, Michigan
\$2,359,100.00

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above-named City of Ludington has decided not to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (P.L. 91-190).

The reasons for such decision not to prepare an EIS are as follows:

1.) Consistency Findings or compliance with 58.5 or 50.4 as appropriate, (National Historic Preservation Act, Executive Order (EO) 11988 on Floodplain Management, EO 11990 on Protective Wetlands, Coastal Zone Management Plan, Sole Source Aquifers, Endangered Species Act, Clean Air Act, EO12898 on Environmental Justice,

An Environmental Review Record respecting the proposed project has been made by the above-named City of Ludington which documents the environmental review of the project and more fully sets forth the reasons why an EIS is not required. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request at The City Municipal building between the hours of 8am and 5pm. The record will also be available on the city web site at www.ludington-mi.gov

No further environmental review of such project is proposed to be conducted prior to the request for release of federal funds.

Public Comments on Finding

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by the City of Ludington to the Community Development Department on or before May 20, 2020. All such comments so received will be considered and the City of Ludington will not request the release of federal funds or take any administrative action on the proposed project prior to the date specified in the preceding sentence.

Release of Funds

City of Ludington will undertake the project described above with Community Development Block Grant funds from the Michigan Strategic Fund under Title I of the Housing and Community Development Act of 1974. City of Ludington is certifying to the Michigan Strategic Fund that City of Ludington and Mitch Foster in his official capacity as City Manager consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval City of Ludington may use the Block Grant funds and the Michigan Strategic Fund will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to Michigan Strategic Fund Release of Funds

The Michigan Strategic Fund will accept an objection to its approval only if it is on one of the following bases:

- a) The certification was not in fact executed by the responsible entity's Certifying Officer
- b) The responsible entity has failed to make one of the two findings pursuant to 58.40 or to make the written determination required by 58.35, 58.47 or 58.53 for the project, as applicable.
- c) The responsible entity has omitted one or more of the steps set forth at subpart E of this part for the preparation, publication and completion of an EA.
- d) The responsible entity has omitted one or more of the steps set forth at subparts F and G of this part for the conduct, preparation, publication and completion of an EIS.
- e) The recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by this part before release of funds and approval of the environmental certification by HUD (or the state).
- f) 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 to the Michigan Strategic Fund, c/o Michigan Economic Development Corporation, 300 North Washington Square, 4th Floor, Lansing, Michigan 48913.

Objections to the release of funds on bases other than those stated above will not be considered by the Michigan Strategic Fund. No objection received after June 5, 2020 will be considered by the Michigan Strategic Fund.

Mitch Foster
City Manager
400 S Harrison Street Ludington, MI 49431