



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

**This is a suggested format that may be used by Responsible Entities to document completion of an
Environmental Assessment.**

Project Information

Project Name: Mtiigwakiis Village Housing Development

Responsible Entity: Little Traverse Bay Bands of Odawa Indians (LTBB) Planning Department

Grant Recipient (if different than Responsible Entity): Little Traverse Bay Bands of Odawa
Indians

State/Local Identifier: N/A

Preparer: Traven Michaels, LTBB Environmental Response Specialist

Certifying Officer Name and Title: Regina Gasco-Bentley

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): N/A

Direct Comments to:

Traven Michaels

Environmental Response Specialist

Little Traverse Bay Bands of Odawa Indians

Natural Resources Department – Environmental Services Program

7500 Odawa Circle, Harbor Springs, MI 49770

Office: 231-242-1573, Cell: 231-758-2399

Email: tmichaels@ltbbodawa-nsn.gov

Project Location:

Mtiigwakiis Village, Ninaatig Drive, off of Murray Road, Charlevoix, MI 49720

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Size and Number of Units: LTBB will construct up to 4 new buildings, consisting of up to 38 new units of affordable housing. One building will consist of 10 new units, the other will have 8 new units. The 8-unit building will be 50% ADA-compliant.

Type of units: Units will be one- and two-bedroom single-family apartments in a multi-family apartment building. Of the 38 units, 10 will be one-bedroom and 8 will be two-bedroom. Units of this size will benefit our Tribal Housing wait list population, as 79% of waitlist families fit this demographic.

	Building 1,3,4			Building 2 <i>[50% units ADA-compliant]</i>		
	Top Floor	Bottom Floor	Total	Top Floor	Bottom Floor	Total
1-Bdr Unit	9	9	18	2	2	4
2-Bdr Unit	6	6	12	2	2	4
Total	15	15	30	4	4	8

The draft site plan for the proposed development is attached.

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

LTBB’s proposed new construction project will address the identified housing shortage that our Citizens face. The need for this project and the additional housing it will provide the LTBB community is critical to providing basic, essential housing to an underserved population living in an area with a severe housing shortage. Reviewing LTBB’s IHBG Formula allocations over the past five years (FY 2017 – FY 2021), the growing housing needs for low-income households is dire. The table below reflects the increase in need for American Indian/American Native (AIAN) living within LTBB’s service area, based on IHBG Formula allocations between 2017 and 2021. In just two years (FY 2019 vs. FY 2021), the number of households with an annual median income (AMI) of less than 80% has increased by 80 households, a 12% increase (725 HH vs. 645 HH). When looking more specifically at the number of AIAN households falling in HUD’s very-low (30% - 50% of median income) and extremely-low (less than or equal to 30% of median income) categories, the increased need is more striking. Since 2017, households with an AMI between 30% and 50% have increased by 18% and households with an AMI of less than or equal to 30% of annual income have increased by almost 40%. Households with an AMI of less than 50% account for 61% of FY 2021 households facing a housing shortage. These alarming trends mean our community is getting poorer and less able to pay for housing. The number of households facing a housing shortage increased by 12% in just two years (2019 vs. 2021).

IHBG Formula Allocation Data	FY 2021	FY 2019	FY 2017
Number of AIAN persons in LTBB formula area	3586	3525	3481
Number of AIAN households in LTBB formula area: with annual income less than or equal to 30% of formula median income	245	194	176
with annual income between 30% and 50% of formula median income	198	185	168
with annual income between 50% and 80% of formula median income	283	266	340
Housing Shortage in LTBB formula area	725	645	684

Housing is a critical need for Tribal Citizens. The LTBB government's desire and responsibility to provide such a basic, primary need is directly related to the LTBB Housing Department mission to encourage a healthy home environment and to seek resources to build and rehabilitate affordable, high quality, safe and sanitary housing. This project also aligns with the Housing Department's strategic plan activities to provide programs for home ownership, as well as rental opportunities, and to seek to develop more rental units. The housing shortage experienced in our region was identified even as far back as 2004 when the LTBB Master Land Use Plan was developed, with data supporting that the reservation area total population surpassed the total number of housing units in the same areas. The LTBB Land Base Restoration Plan depicts the originally intended uses of Tribal/Trust land, describing the purpose for individual parcels of land at the time of Trust application. Last updated in 1999, the Land Base Restoration plan indicates LTBB's intention to support housing at the Mtiigwakiis Village (Murray Road in Hayes township, Charlevoix) as well as the priority placed on housing for Tribal. The need for housing is also in LTBB's Long Range Transportation Plan with discussion of existing water and sewer built in 2008 not only providing infrastructure for the initial housing, but also for additional housing to be built in the future. This project supports that goal for additional housing to be built in the future on that site.

Existing Conditions and Trends [24 CFR 58.40(a)]:

LTBB's Housing Department Wait List currently consists of 16 families (25 people), 81% of which are one and two-person families. LTBB's current Mtiigwakiis Village housing consists of two apartment buildings, with 5 apartments each, totaling 10 total apartment units. Six of the units are 3-bedroom and four are 2-bedroom. Because the larger need in our community is for 2-bedroom units, currently one 1 to 2-person family is residing in a 3-bedroom unit. This is problematic in several ways: 1) Units for 3+ person families on the waitlist are unavailable because a 1- to 2- person family is in a three-bedroom unit, 2) LTBB's current housing lacks the units necessary for our target demographic (1 to 2-person families), and 3) LTBB lacks enough housing for our Tribal Citizens in need. If more one- and two-bedroom apartment units existed, not only would families in apartments bigger than their needs be able to move into a more appropriate unit, but larger apartments for 3+ person families on the wait list would also become available.

The need for this project (housing that fits the needs of our population) is an ongoing issue within our service area, for both Tribal and non-Tribal communities. A market study conducted

by Bowen National Research in 2016 surveyed 36 conventional housing projects [totaling 1,413 units] comparable in size to LTBB’s existing Mtiigwakiis Village (commonly referred to as ‘Murray Road’) housing. There was a 100% occupancy rate (for both non-subsidized and subsidized units), which is extremely high for rental housing. One- and two-bedroom units comprised 89% (1,260) of total housing units, which is the target unit size for this project. Between all 36 conventional housing projects, there was a total waitlist of 546 households. When comparing wait lists for five most comparable non-LTBB low-income housing tax credit properties to LTBB’s low-income wait list, LTBB falls on the higher end.

Site Name	Total Units	Occupancy Rate	Wait List	Target Market
LTBB Murray Road [Mtiigwakiis Village]	10	100%	23 HH	Families; 80% AMHI or lower
Hillside Club Apts I & II	94	100%	1-2 Months	Families; 60% AMHI
Maple Village I & II	97	100%	None	Families; 30%, 45%, 50%, & 60% AMHI
Pond Street Village	32	100%	5 HH	Families; 30%, 50%, & 60% AMHI
Deer Meadows	30	100%	40 HH	Seniors 55+; 35%, 45%, & 50% AMHI
Townline Apts	30	100%	7 HH	Families; 30%, 50%, & 60% AMHI
Source: LTBB Wait List. Bowen Market Study. [Rating Factor 2 Attachments]				

HH = Household. AMHI = Annual Median Household Income

These wait lists support the need for this project as Tribal citizens in need of housing are unable to not only get into LTBB housing, but also unable to get into non-LTBB housing. Lack of vacant low-income apartments within the service area, lack of vacant low-income apartments for our main target population (1- and 2-person families), and the wait lists experienced by other housing options in the area reflect the extreme need for additional Mtiigwakiis Village housing.

Funding Information

Grant Number	HUD Program	Funding Amount
N/A	Indian Housing Block Grant (IHBG)	\$5,000,000

Estimated Total HUD Funded Amount:

\$5,000,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

The proposed project’s budget is anticipated at \$6,000,000 (\$5,000,000 in federal funds and \$1,000,000 in non-federal funds), with 100% of total federal and non-federal costs associated with the project budget used for activities that benefit low- and moderate-income persons.

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Minimal impact to air quality is expected during the construction of this development. Temporary impacts will be consistent with general construction activities (dust, paint fumes, etc.)
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Contamination and Toxic Substances	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	

24 CFR Part 50.3(i) & 58.5(i)(2)		
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The LTBB Tribal Historic Preservation Officer Melissa Wiatrolik concluded that this housing development will have no impact on historically or culturally significant sites or artifacts.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There will be slightly elevated noise levels during the construction of the Mtiigwakiis development. The noise levels will be consistent with general construction activities (sawing, hammering, etc.)
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Although there are wetlands on the parcel in question, they are far enough away from the proposed development to not be impacted in any way.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
ENVIRONMENTAL JUSTICE		

Environmental Justice	Yes No	
Executive Order 12898	<input type="checkbox"/> <input checked="" type="checkbox"/>	

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project conforms with LTBB Planning Department plans, all local land use/zoning laws, and has a scale/urban design that is appropriate for the needs of tribal citizens.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The sandy loam soils on site are adequate for building on. The slope is relatively flat and the project will require minimal grading. The project is not expected to cause any kind of erosion concerns. Because the project involves new parking lots there will be some additional storm water runoff occurring, but nothing that would present an environmental concern.
Hazards and Nuisances including Site Safety and Noise	2	There will be elevated noise levels and safety concerns during the proposed development's construction. With proper mitigation measures these concerns are minimal and temporary.
Energy Consumption	2	The housing development is expected to be built with energy efficiency in mind and LTBB has plans to install solar panels on the property to help offset increased energy usage.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	The construction of an affordable housing project such as this will have benefits on local employment and income patterns due to tribal citizens having more secure living situations.
Demographic Character Changes, Displacement	1	The increased availability of affordable housing in the area is very much needed and the project will have a benefit for tribal citizens demographically speaking.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed development is for housing purposes and does not include any educational or cultural facilities.
Commercial Facilities	2	The proposed development is for housing purposes and will not contain any commercial facilities.
Health Care and Social Services	2	The proposed development is for housing purposes and will not contain any health care or social services uses.
Solid Waste Disposal / Recycling	2	The tribal citizens living proposed housing development will have waste to dispose of, but the current trash pickup services available for the current housing complex and recycling trailer on site should be able to negate any impacts.
Waste Water / Sanitary Sewers		The new development will increase waste water output on the property but the current sewage system will be able to handle this increase without any problems.
Water Supply	2	The housing development will slightly increase demand on the water supply but the current wells on the property are sufficient for this increase.
Public Safety - Police, Fire and Emergency Medical	2	The LTBB Police force, as well as Charlevoix Fire/EMS will serve the tribal citizens living in the proposed development. .
Parks, Open Space and Recreation	2	No parks, open space or recreational facilities are part of the planned development.
Transportation and Accessibility	1	The construction of affordable housing will likely benefit tribal citizens in their access to transportation through tribal public transport and access to employment, community services etc.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	There are no unique natural features or water resources that will be impacted by the Mtigwakiis Housing Project.
Vegetation, Wildlife	2	Typical Northern Michigan grassland/meadow vegetation will be removed for the construction of the apartments and associated parking lots. A total of approximately 43000 sq ft or 1 acre of grassland will be developed.
Other Factors	2	

Additional Studies Performed: None.

Field Inspection (Date and completed by):

07/15/2022 and completed by Traven Michaels, LTBB Environmental Response Specialist

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

List of Sources:

Little Traverse Bay Bands of Odawa Indians. (2005, November). *Our Land and Culture - A 200 Year History of Our Land Use*.

Parcel Search Mapping. (2022). Charlevoix County Website.
https://www.charlevoixcounty.org/online_services/

Pilette, J. (2012, June). *Little Traverse Bay Bands of Odawa Indians Native Plants Initiative - Revision 2*. LTBB - Environmental Services Department.

“The Federal Register.” *Federal Register : Request Access*,
<https://www.ecfr.gov/current/title24/subtitle-A/part-58>.

United States Department of Agriculture - Natural Resources Conservation Service. (2019, July 31). *Web Soil Survey - Home*. Web Soil Survey.
<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

U.S. Fish and Wildlife Service. (2018, October). *Midwest Region Endangered Species - Michigan - Federally-listed Threatened, Endangered, Proposed, and Candidate Species*.
<https://www.fws.gov/midwest/endangered/lists/michigan-spp.html>

US Topo: Maps for America | U.S. Geological Survey. (2019, February 13). USGS - Science for a Changing World. <https://www.usgs.gov/programs/national-geospatial-program/us-topo-maps-america>

Agencies and Persons Consulted:

- LTBB Planning Department
 - Planning Director
- LTBB Housing Department
- LTBB Grants Department
- LTBB GIS Program
- LTBB Natural Resources Department
 - LTBB Environmental Services Program
 - Water Quality Specialist
- LTBB Tribal Historic Preservation Office
 - Tribal Historic Preservation Officer

List of Permits Obtained: The Selected Contractors will be responsible for obtaining any necessary permits if/when they are needed.

Public Outreach [24 CFR 50.23 & 58.43]: This new development is a direct response to tribal citizens/public calls for more affordable housing. This EA/FONSI will be posted for Public Comment on the LTBB webpage and on the bulletin board in the Tribal Government Center lobby for one month after the acceptance of this EA.

Cumulative Impact Analysis [24 CFR 58.32]:

The cumulative impact of the proposed development will be minimal. Approximately 43,000 sq ft or 1 acre of previously disturbed grassland will be developed. During construction there will be elevated levels of construction related noise, dust, traffic all of which will be temporary and short lived. The vegetation that is will be cleared is made up of primarily invasive spotted knapweed, native grasses, milkweed, and a variety of other species commonly found in fields in the area.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

No alternatives were considered for this project due to the infrastructure/housing already in place on the property being conducive to the Mtigwaakiis Site Plan.

No Action Alternative [24 CFR 58.40(e)]:

The No Action Alternative would have zero impact on the environment, but would also completely negate the massive benefit that the proposed development would have for LTBB's Tribal Citizens. As mentioned in the Statement of Purpose and Need for the Proposal section, housing is a critical need for Tribal Citizens. By taking no action Tribal Citizens would continue to be faced with the serious housing shortage that currently exists in the area.

Summary of Findings and Conclusions:

It is LTBB’s belief that because of the previous earth disturbance when the site infrastructure originally occurred, and due to the roughly 1 acre of grassland clearance that the proposed development will have a minimal impact on the environment. The significant benefits that building additional affordable housing will have for the Tribe will far outweigh the minimal environmental impacts of the Mtiigwakiis Village Housing Project. The project will not result in a significant impact on the quality of the human environment.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: Traven Michaels Date: 07-22-2022

Name/Title/Organization: Traven Michaels, Environmental Response Specialist, Little Traverse Bay Bands of Odawa Indians

Certifying Officer Signature: Regina Gasco-Bentley Date: 8-4-2022

Name/Title: Regina Gasco-Bentley, LTBB Tribal Chairperson

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).