

**EXECUTIVE ORDER 11988 AND 13690  
8-STEP DECISION MAKING PROCESS  
PROTECTION OF FLOODPLAINS**

**NINTH STREET APARTMENTS  
5420 10<sup>TH</sup> LANE EAST  
BRADENTON, MANATEE COUNTY, FLORIDA 34203**

**D3G PROJECT NUMBER:  
2025-0978**

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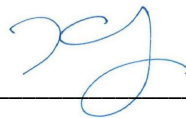
**PREPARED FOR:  
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,  
MANATEE COUNTY,**

**AND**

**ELMINGTON CAPITAL GROUP  
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Signature



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## **1.0 PURPOSE**

The following is the compilation of the United States Housing and Urban Development (HUD) 8-Step Process regarding the proposed construction of a multi-family apartment development to be located at 5420 10th Lane East in Bradenton, Manatee County, Florida 34203 (subject property). The subject property consists of an approximate 6.71-acre parcel of undeveloped grassed and partially wooded land. Bright Community Trust, the Sponsor, is submitting this project for Home Investment Partnerships Program (HOME) funds for the development of one (1) four-story multi-family residential apartment structure, including one hundred and thirty-four (134) units. It should be additionally noted that the western adjacent tracts of land associated with ingress/egress, frontage improvements, and utility connections are located in the Environmental Review due to HUD's aggregation requirements.

Whenever HUD financial assistance is proposed for a project which has the potential to impact floodplains, compliance is required with the 8-Step Decision Making Process of EO 11988, "Protection of Floodplains", and EO 13690, "Federal Flood Risk Management Standard", as well as implementing procedures contained in Federal Register 24 CFR Part 55.

A copy of the site maps and photographs are located in Appendix A.

## **2.0 8-STEP DECISION MAKING PROCESS**

### **2.1 Step 1**

**A determination is to be made if the property is located in the Federal Flood Risk Management Standard (FFRMS) floodplain, which is a higher standard than is shown on many FEMA Maps; and a determination is to be made if the property is located in a Wetland.**

**Identification of the FFRMS floodplain is described within 24 CFR 55.7.**

According to FEMA Flood Insurance Rate Map (FIRM) #12081C-0308E, dated March 17, 2014, the majority of the subject property is located in Unshaded Zone X, designated as an area outside the 100 and 500-year floodplain; however, according to the 500-Year Floodplain Exhibit prepared by Kimley and Horn dated February 2025, the southern portion of the subject property is located in Shaded Zone X, designated as an area within the 500-year floodplain associated with Bowlees Creek. According to the FEMA Flood Map Service Center accessed at <https://msc.fema.gov/portal/home>, there are no preliminary or pending FIRMs for the subject property.

With the 500-year floodplain mapped/defined, that is the extent of the Federal Flood Risk Management Standard (FFRMS) floodplain for this project under the 0.2% Annual Chance Flood Approach (0.2PFA).

According to the 500-Year Floodplain Exhibit prepared by Kimley and Horn, grading and the installation of an 18-inch storm pipe and discharge associated with the proposed lined wet detention pond are proposed within the 500-year/FFRMS floodplain. Approximately 0.26 acres of the FFRMS floodplain encroaches onto the subject property boundaries, of which impacts to approximately 0.12 acres are being proposed.

A copy of the floodplain documentation is located in Appendix B.

**A wetland is defined by 24 CFR 55.2(b)(11) as: "...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. This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid-fill road beds and activities such as mineral extraction and navigation improvements. This definition includes both wetlands subject to and those not subject to section 404 of the Clean Water Act as well as constructed wetlands.”

According to the USFWS National Wetlands Inventory Layer accessed at <http://nepassisttool.epa.gov/nepassist/entry.aspx> and visual observations, a bed and bank drainage ditch was observed on the southern portion of the subject property, which are not considered wetland features. No additional wetland areas were observed. Therefore, the proposed undertaking will be in compliance with Executive Order (EO) 11990, Protection of Wetlands, as well as the requirements of Federal Register 24 CFR Parts 50, 55 and 58.

A copy of the wetland documentation is located in Appendix C.

## **2.2 Step 2**

**The public notice is the primary method of advising all interested parties of the proposed activity and of soliciting comments and information necessary to evaluate the probable impact on the public interest. A public notice is to be made within the locality (e.g., via local newspapers) and directly to concerned state and federal agencies.**

Under the direction of Manatee County as the Responsible Entity, D3G prepared a “Notice of Early Public Review”. This notice is required by Section 2(a)(4) of EO 11988 for Protection of Floodplains and is implemented by HUD Regulations found at 24 CFR 55.20(b). The public notice is the primary method of advising all interested parties of the proposed activity and of soliciting comments and information necessary to evaluate the probable impact on the public interest. The Early Notice of Public Review was reviewed and approved by Julia Vieira, Manatee County Community Development Project Manager, prior to its publication in the Legal Notices Section of the Bradenton Herald newspaper on June 1, 2025. In addition to the legal notice publication, the prepared Notice was sent directly to various government agencies which may have a specific interest in the protection of floodplains. The governmental agencies that were contacted include the Manatee County Development Services Department, Building Division, Flood Zone and Floodplain Management Section and Region IV of the Federal Emergency Management Agency (FEMA). The period of public comment was limited to fifteen (15) calendar days beginning the day after publication. \_\_\_ public comments were received in response to the Notice.

A copy of the “Early Notice and Public Review” is located in Appendix D.

## **2.3 Step 3**

**Practicable alternatives are to be evaluated which would eliminate disturbance to floodplains.**

In compliance with EO 11988 and EO 13690, the property developer was made aware that the Responsible Entity desires the Sponsor to avoid, to the extent practicable, long and short-term significant adverse impacts associated with the occupancy of the FFRMS floodplain, as well as the direct and indirect support of floodplain development whenever there is a practicable alternative. Alternatives are to be considered in terms of the following factors:

**1) Approve the project on the subject property, as submitted.**

The proposed action would be approved as currently designed and would result in impacts to approximately 0.12 acres of on-site FFRMS floodplain due to grading and the installation of an 18-inch storm pipe and discharge associated with the proposed lined wet detention pond.

**2) Approve the project on the subject property with modifications to further avoid and minimize FFRMS floodplain impacts.**

Modifications that could result in avoidance or minimization include eliminating the proposed lined wet detention pond altogether and/or resizing the detention pond to wholly reduce impacts to the FFRMS floodplain.

The proposed development cannot be practicably modified to avoid floodplain areas without jeopardizing the feasibility of the entire development, as the FFRMS floodplain area is irregularly shaped and occupies portions of the site necessary for the proposed activities.

**3) Rejection (No Action Alternative)**

The Responsible Entity does not approve the proposed development, and the Home Investment Partnerships Program (HOME) funds are not awarded.

**2.4 Step 4**

**The potential direct or indirect impacts associated with the occupancy or modification of the FFRMS floodplain and the potential direct and indirect support of floodplain development that could result from the proposed action.**

On behalf of HUD, the Responsible Entity, in coordination with D3G, proceeded with defining the proposed impact to the regulated floodplain areas in addition to the potential economic, environmental, and other pertinent factors of the proposed construction. This includes both direct and indirect impacts that the proposed development may have on the regulated floodplain areas. The benefits, which reasonably may be expected to accrue from the construction, must be balanced against its reasonably foreseeable detriments.

**Floodplain Impacts**

According to 24 CFR 55.20(d)(1), the focus of the floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include:

- (i) Water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge;
- (ii) Living resources such as flora and fauna;
- (iii) Cultural resources such as archaeological, historic, and recreational aspects; and
- (iv) Agricultural, aquacultural, and forestry resources.

**Evaluation Factor: Impacts to lives and property**

As a portion of the property is within the FFRMS floodplain, proposed residential spaces within the FFRMS floodplain would need to be constructed to or above the FFRMS floodplain elevation. Under the Freeboard Value Approach (FVA), the FFRMS floodplain elevation corresponds to the relevant 100-year floodplain base

flood elevation (BFE) of 18 feet, plus 2 feet of freeboard, for an elevation of 20 feet. Although the proposed residential building is not located within the on-site FFRMS floodplain, its Finished Floor Elevation (FFE) will be at 23 feet, above the FFRMS floodplain of 20 feet.

Any proposed non-residential spaces must either be constructed to, or floodproofed to, the FFRMS elevation of 20 feet. Although the proposed residential building, which houses non-residential spaces on the ground floor, is not located within the on-site FFRMS floodplain, its FFE will be at 23 feet, above the FFRMS floodplain of 20 feet.

Therefore, the proposed action does not represent a risk to lives or property.

*Evaluation Factor: Water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge*

Floodplains provide natural and beneficial values by acting as natural filters, providing water storage, and recharging groundwater aquifers. They can also provide habitat for a variety of biologically unique flora and fauna. The floodplain currently provide the function of water storage and will continue to function as such as part of the proposed project's stormwater management system.

The proposed development will impact an approximate 0.12-acre portion of the approximate 0.26-acre on-site FFRMS floodplain. Whenever ground disturbance is proposed within a floodplain, the loss of floodplain storage is a potential impact, and is discussed further in Step 5.

Potential indirect impacts to adjacent floodplain areas could result from sediment transport during construction of the proposed development. Sediment and erosion control measures are warranted to prevent sedimentation impacts to the adjacent floodplain. Sediment/erosion control measures are discussed further in Step 5.

The subject property is not located within a regulatory floodway, Coastal Barrier Resource Area, or within the boundaries of a Sole Source Aquifer. Please see the Floodplain Management, Coastal Barrier Resources, and Sole Source Aquifer sections of the Environmental Assessment (EA) for the associated documentation.

According to the Office of Ocean and Coastal Resource Management (OCRM), Manatee County is located within a Coastal Management Zone. D3G submitted a consultation request to the appropriate State Coastal Zone Management Agency to confirm compliance with the State Coastal Management Program. Per a response dated May 19, 2025, from Mr. Chris Stahl with the Florida Clearinghouse Agency, the Florida State Clearinghouse recommends a preapplication meeting be had; however, this is not a requirement, and the Agency has no objections to the proposed undertaking and no mitigation measures nor further consultation regarding Coastal Zone Management is warranted.

Please see the Coastal Zone Management section of the EA for the associated documentation and agency correspondence.

*Evaluation Factor: Living resources such as flora and fauna*

D3G obtained an Official Species List for the subject property using the USFWS Information for Planning and Consultation (IPaC) website accessed at <https://ecos.fws.gov/ipac/>. According to the Official Species List, nine (9) federally-listed species have the potential to be present within the project area (Eastern Black Rail, Everglade Snail Kite, Wood Stork, American Crocodile, Eastern Indigo Snake, Green Sea Turtle, Monarch Butterfly, Pygmy Fringe-tree, and Florida Perforate Cladonia).

Based on an analysis of the habitat requirements of these species and the physical characteristics of the subject property, no suitable habitat is believed to be present for the nine (9) identified species, as detailed in the attached Species Conclusion Table. In addition, no critical habitats were identified within the project area.

Due to its wide habitat range, implementing standard protection measures for the Eastern Indigo Snake is always recommended for new construction projects. At least thirty (30) days prior to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via email that the Plan will be implemented as designed, which includes the following:

- Use of the approved posters and pamphlets outlining the Plan
- Verbal education instructions to the construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated
- Observance of the Standard Protection Measures for the Eastern Indigo Snake are required to be observed until the completion of construction activities.

Based on the foregoing information, D3G prepared a package of documentation in support off a finding of “May Affect, Not Likely to Adversely Affect” for federally listed species as part of the Responsible Entity’s final determination of effects. Observance of the Standard Protection Measures for the Eastern Indigo Snake is required until the completion of construction activities.

The subject property does not represent a significant habitat or food resource for area wildlife or important plant species due to the level of development in the surrounding area. Based on the foregoing information, the proposed action will not result in negative impacts to flora and fauna.

Please see the Endangered Species section of the EA for the associated documentation and agency correspondence.

*Evaluation Factor: Cultural resources such as archaeological, historic, and recreational aspects*

A review of the National Register of Historic Places indicates that the subject property and the vicinity properties within the APE are not listed on the National Register of Historic Places; are not located within, or adjacent to, a Historic District; and are not listed as local landmarks.

Manatee County, as the Responsible Entity, submitted a consultation request to the appropriate State Historic Preservation Officer (SHPO). According to a response dated November 14, 2024, the Florida SHPO confirmed that there will be no historic properties affected by the proposed undertaking. Should any prehistoric or historic artifacts be encountered, all work will be halted and the Florida SHPO contacted.

Manatee County also submitted consultation requests to the various Tribal Historic Preservation Officers (THPOs). No objections to the proposed undertaking are anticipated.

Based on the foregoing information, the proposed action will not negatively impact archaeological, historic, or recreational resources.

Please see the Historic Preservation section of the EA for the associated documentation and agency correspondence.

*Evaluation Factor: Agricultural, aquacultural, and forestry resources.*

According to the U.S. Census Bureau Urbanized Area Map, accessed at <http://tigerweb.geo.census.gov/tigerweb/>, the subject property is located within an urbanized area; therefore, the subject property is already in an area committed to urban development and is exempt from compliance with the Farmland Protection Policy Act.

The proposed action will not adversely impact aquacultural resources as there is a lack of on-site water resources. Additionally, the subject property does not feature wooded areas. Therefore, the proposed undertaking will not negatively impact agricultural, aquacultural, or forestry resources.

Please see the Farmlands Protection section of the EA for the associated documentation.

## 2.5 Step 5

**For those activities which must occur in or impact regulated floodplain areas, the decision maker shall insure to the maximum extent practicable that disturbance to the FFRMS floodplain is minimized and to restore and preserve its natural and beneficial functions and values.**

In coordination with the Responsible Entity, D3G proceeded with proposing mitigation methods that would lessen the impact on floodplains as identified in Step Four. As outlined in EO 11988, the Sponsor is instructed to implement the concept of minimization, restoration, and preservation of floodplains. The guidance intends to avoid direct or indirect support of floodplain development. The Sponsor was made aware that those activities which must occur in, or impact floodplains, shall ensure to the maximum extent practicable that the negative impacts of potential flooding on human health, safety, and welfare are minimized, and the natural beneficial values served by floodplains are restored and preserved.

The proposed cutting/grading will not displace flood waters and will not cause any adverse effect on water quality at the project site or within adjacent properties.

As a portion of the property is within the FFRMS floodplain, proposed residential spaces within the FFRMS floodplain would need to be constructed to or above the FFRMS floodplain elevation. Under the Freeboard Value Approach (FVA), the FFRMS floodplain elevation corresponds to the relevant 100-year floodplain base flood elevation (BFE) of 18 feet, plus 2 feet of freeboard, for an elevation of 20 feet. Although the proposed residential building is not located within the on-site FFRMS floodplain, its Finished Floor Elevation (FFE) will be at 23 feet, above the FFRMS floodplain of 20 feet.

Any proposed non-residential spaces must either be constructed to, or floodproofed to, the FFRMS elevation of 20 feet. Although the proposed residential building, which houses non-residential spaces on the ground floor, is not located within the on-site FFRMS floodplain, its FFE will be at 23 feet, above the FFRMS floodplain of 20 feet.

As a floodplain is located on a portion of the subject property, HUD's FFRMS final rule includes notification requirements for new and renewal leases to ensure that current and prospective renters are made aware of potential flood risks so that they can make risk-informed decisions. These notification requirements are defined at [24 CFR 55.4](#), and must include acknowledgements signed by residents indicating that they have been advised that a portion of the property is in a floodplain and flood insurance is available for their personal property. Notification shall also include available emergency notification resources and the property's emergency procedures for residents in the event of flooding.

The means of ingress/egress are not located in the FFRMS floodplain; thus, an evacuation route is not needed. However, it should be noted that residents should not congregate in the areas of the on-site FFRMS floodplain



during a potential flood event. The property manager will encourage all residents to register for the Manatee County's instant notification system, Alert Manatee, at <https://www.mymanatee.org/services-and-amenities/service-listing/service-details/sign-up-for-alert-manatee>. This emergency alert system keeps the community informed and prepared for emergencies, including updates on severe weather, hazardous conditions, and safety alerts that could impact the area.

According to the National Flood Insurance Program (NFIP) Community Status Book accessed at <https://www.fema.gov/flood-insurance/work-with-nfip/community-status-book>, the subject property is located in Community ID #120153B, which is a participating community in the NFIP. As no structures or insurable property are located within a Special Flood Hazard Area (100-year floodplain), flood insurance is not required under the NFIP. Tenants will be notified, via a Lease Addendum, that flood insurance is available for purchase for their personal property should they wish to do so.

The specific floodplain functions that may be impacted by the proposed development include water storage and groundwater recharge. The proposed development intends to balance these impacts through mitigation measures.

The proposed development has been carefully planned to avoid impacts to the 500-year/FFRMS floodplain. All construction and improvements are located outside of this area, ensuring there are no adverse effects to the floodplain itself or to the development as a result of its presence. The project will preserve the existing floodplain functions, and no disruption to water flow, habitat, or ecological value is anticipated.

According to the Stormwater Management Report prepared by Kimley and Horn dated April 2025, the project includes construction of stormwater management facilities and infrastructure to provide water quality and water quantity (flood control) assurances. The project will utilize a wet detention pond for stormwater management and the stormwater runoff from the project will be collected in inlets and piped to the pond for attenuation. The stormwater management system will discharge to the existing ditch on the southern boundary of the subject property. The structure has been designed to achieve a 50% reduction in rate from the peak existing condition, in adherence to Manatee County standards. The project utilizes the Conservation Wet Detention design criteria of the Southwest Florida Water Management District (SWFWMD), which stipulates the total water quality volume be stored below the discharge device/outfall of the pond. This requires a total water quality volume equal to 1" of runoff volume over the contributing basin plus the average of the total rainfall during the wet season (122 days, June through September) with a 14-day residence time. The design also requires a gravity flow outfall device or weir sized to discharge ½ inch of runoff volume over the contributing basin within 24 hours with a maximum fluctuation depth in the pond of 10 inches. The proposed collecting system is sized adequately to convey the project to the wet detention pond without adverse on-site or off-site flood conditions. Adherence to Manatee County criteria concerning 3" of freeboard to the storm structure inlet is also demonstrated.

After evaluating subject property conditions, project goals, and long-term maintenance needs, it was determined that the proposed stormwater system, which includes traditional drainage infrastructure designed in compliance with all local and state regulations, is the most appropriate and effective solution for this project. The development is located entirely outside of the FFRMS floodplain boundary, and all runoff will be managed on-site without increasing flow or volume to the floodplain area.

While methods like permeable pavers and bioswales can be effective in certain settings, site-specific factors such as soil composition, slope, and anticipated use limit their practicality in this case. However, the project design incorporates efficient grading, vegetated areas, and other best practices to ensure stormwater is appropriately managed and that no adverse impacts to the identified floodplain will occur.

Appropriate erosion and sediment control measures will be observed, and construction activities will be completed in accordance with all applicable state and local regulations.

Therefore, the proposed action ensures, to the maximum extent practicable, that the negative impacts of potential flooding on human health, safety, and welfare are minimized and the natural beneficial values of water storage and water quality served by floodplains are restored and preserved.

A copy of the floodplain documentation, including the Resident Floodplain Notification and Stormwater Management Report, is included in Appendix B.

## **2.6 Step 6**

**The HUD office is to consider all comments received in response to the public notice and hearing, as well as comments received from Federal, State, and local agencies. The local HUD office is to re-evaluate the proposed alternatives including the "no action" alternative.**

Step 6 of the process directs all concerned parties to re-evaluate the proposed alternatives. The Sponsor and the Responsible Entity are to consider all comments received in response to the "Early Notice and Public Review" which was posted in circulation in the Bradenton Herald newspaper on June 1, 2025, as well as comments received from federal, state, and local agencies, which have been obtained throughout the permitting process for this project.

The Sponsor and the Responsible Entity re-evaluated the alternatives identified in Step 3, which include:

- 1) Approve the project on the subject property, as submitted;
- 2) Approve the project on the subject property with modifications to further avoid and minimize floodplain impacts; or
- 3) Rejection (No Action Alternative)

**Alternative 1 – Approve the project, as submitted, was selected based on the following:**

- The community will benefit from the construction of Ninth Street Apartments as the development of the subject property will contribute to revitalization efforts within the immediate site area.
- According to the *Comprehensive Plan of Manatee County, Florida* accessed at [https://library.municode.com/fl/manatee\\_county/codes/comprehensive\\_plan](https://library.municode.com/fl/manatee_county/codes/comprehensive_plan), the need for affordable and decent housing is a concern. The housing goal is to facilitate the development of housing that is affordable to residents of all income levels, recognizing that affordable living requires affordable housing, near employment, shopping, services and alternative transportation. The Ninth Street Apartments apartment complex will carry out this objective by constructing a multifamily development that will provide quality housing to residents of varying income levels with a focus on affordable housing. According to the Market Study prepared by Meridian Appraisal Group dated February 19, 2025, the area of the subject property is intensely developed with industrial uses and scattered residential and supporting commercial uses. U.S Highway 41/301, just east of the subject property, is a primary commercial corridor in the subject neighborhood with a wide range of uses including gas/convenience stores, used car dealers, hotels, fast food restaurants, a flea market, hospital, grocery stores and the DeSoto Square Mall. Additionally, roadway and frontage improvements will allow safe passage to off-street transit stops that will connect residents to businesses in the Bradenton and Manatee County area via the Manatee County Area Transit/MCAT (<https://www.mymanatee.org/manatee-county-area-transit>).

- The proposed development is suitable for carrying out HUD's mission of assisting in providing safe, suitable living environments.
- The proposed project is in compliance with local planning and zoning requirements.
- No comments were received by objecting parties.
- Modifications to further avoid or minimize floodplain impacts were not practicable.
- Although portions of the site are in the FFRMS floodplain, the following actions will be taken to offset and reduce floodplain impacts: Provide stormwater runoff mitigation through the construction of a stormwater management facility designed to be in compliance with all local, state, and federal requirements through innovative stormwater designs; and provide mitigation of potential flooding impacts to lives and property through constructing the proposed residential building outside of the onsite FFRMS floodplain with both residential and non-residential spaces still constructed above the FFRMS floodplain elevation.

Alternative 2 – The option to approve the project with modifications to further reduce floodplain impacts was rejected based upon the results of the following analysis. Modifications that could result in avoidance or minimization include developing only outside of the FFRMS floodplain. However, the proposed action, if approved, would only result in impacts to approximately 0.12 acres of the total 0.26 acres of on-site FFRMS floodplain, consisting of limited grading and the installation of an 18-inch storm pipe and discharge associated with the proposed lined wet detention pond. These modifications are unavoidable due to the fact that the on-site FFRMS floodplain is irregularly shaped and occupies a small outer fringe of the subject property. Eliminating a portion of the proposed development would reduce the proposed impact on the FFRMS floodplain; however, it would require a reduction of the proposed structure to provide enough land area outside of the FFRMS floodplain for these features. The proposed structure is intentionally positioned outside of the FFRMS floodplain. Therefore, the development as planned is needed to accommodate the existing affordable housing demand.

Alternative 3 - The "No-Action" Alternative was rejected based upon the results of the following analysis:

If the selected alternative was to not develop the affordable housing complex, it would not satisfy the current need for affordable housing in Manatee County. The proposed development would provide a safe and decent housing community for the residents of Manatee County and would increase the real estate tax base. Therefore, the no-action alternative would not achieve any of the benefits attributed to the proposed activities.

## 2.7 Step 7

**A decision to proceed with the action cannot be made before National Environmental Policy Act (NEPA) documentation is complete. A public notice is required which includes an explanation of why the proposed action must be located in a floodplain, in addition to a list of the alternatives considered, and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial functions and values. A statement indicating that the action conforms to regulated floodplain standards should also be included.**

D3G, on behalf of the Sponsor and the Responsible Entity, prepared a public notice which included an explanation of why the action was proposed in the identified floodplain on the subject property, in addition to including alternatives for the proposed project and why the alternatives would not be appropriate. The Notice was reviewed and approved for publication by the Responsible Entity prior to publication in the \_\_\_\_\_, 2025 circulation of the \_\_\_\_\_ newspaper. The period of public comment was limited to seven (7) calendar days after the date of publication. \_\_\_ comments were received in response to the Final Notice.

A copy of the “Final Notice and Public Explanation” is located in Appendix E.

## **2.8 Step 8**

Upon completion of the decision-making process in Steps 1 through 7, and upon completion of the NEPA process, the resulting decision is to be implemented. There is a continuing responsibility on HUD to ensure that the mitigating measures identified in Step 5 are implemented.

D3G, on behalf of the Sponsor and the Responsible Entity, prepared this “8-Step Process” report in order to assist with requirements of Executive Order 11988, “Protection of Floodplains”, and procedures contained in 24 CFR Part 55. This report is intended for use by the Sponsor, the Responsible Entity, and the United States Department of Housing and Urban Development (HUD).

It is the professional opinion of D3G that development of the project does not violate any Federal or State regulations, as long as the Sponsor complies with all applicable local and State development controls/requirements and the appropriate state, local and federal permits are obtained. Based on the conclusions of the completed 8-Step Process, it is recommended that the application be approved.

## **3.0 APPENDICES**

- Appendix A: Site Maps and Photographs
- Appendix B: Floodplain Documentation
- Appendix C: Wetland Documentation
- Appendix D: Early Notice and Public Review
- Appendix E: Final Notice and Public Explanation