



U.S. Department of Housing and Urban
Development
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Broad-Level Tiered Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR Part 58.35(a)

Project Information

Project Name: Tier I Environmental Review Record
State of California
2018 Community Development Block Grant – Disaster
Recovery, Owner-Occupied Housing Rehabilitation and
Reconstruction Grant Program

Responsible Entity (RE): State of California, Department of Housing and Community
Development

State/Local Identifier: Lake County, California

RE Preparer: Not Applicable

Certifying Officer: Janice L. Waddell, Branch Chief, Federal Programs

Grant Recipient (if different than Responsible Entity): Not Applicable
Point of Contact:

Consultant (if applicable): Hagerty Consulting and Civix
Point of Contact: Amanda Tamburro

Project Location: Lake County, California

Additional Location Information:

Direct Comments to: Joseph Helo at dr-enviro@hcd.ca.gov

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

The proposed projects under this Broad-Level Tiered Environmental Review will be limited to Lake County, California. The Mendocino Complex Fire began at the end of July 2018 and impacted Mendocino, Lake, Colusa, and Glenn Counties. The Mendocino Complex Fire burned a total of 459,123 acres and destroyed 246 structures.

Lake County has endured ten disasters since 2015, with over 60 percent of Lake County's land mass burned in the last few fire seasons. Due to the destruction, Lake County was included in the presidentially declared disaster, DR-4382, and was also identified as a Most Impacted and Distressed Area. As a result of DR-4382, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. The California Department of Housing and Community Development (HCD) is the lead and responsible agency for administering the CDBG-DR funds allocated to the State of California.

The 2018 CDBG-DR program will provide grants to owner-occupied homeowners to rehabilitate or reconstruct homes damaged or destroyed in the 2018 wildfire disaster. The Owner-Occupied Housing Rehabilitation and Reconstruction Program ("OOR" or "Program") objective is to provide decent, safe, and sanitary housing in the areas affected by the disaster. The program is designed to ensure that the housing needs of very-low, low- and moderate-income (LMI) households and vulnerable populations, including individuals that were made homeless as a result of the disaster, are addressed to the greatest extent feasible.

The program will provide rehabilitation or reconstruction assistance to eligible applicants based on the extent of damage to their primary residences. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner. A reconstructed property must not increase the number of dwellings on site, although the number of rooms may increase or decrease.

Eligible program activities include the following, but not limited to:

- Single family owner-occupied rehabilitation and reconstruction on the same site in substantially the same footprint and manner;
 - Permitting, design, and planning;
 - Relocation assistance;
 - Demolition only;
 - Repairs to disaster damaged primary dwelling with standard grade materials;
 - Reconstruction of the disaster damaged primary dwelling with standard grade materials;
 - Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems;
 - Upgrades required to meet current building code,
 - Handicap accessibility features;
 - Repair and replacement of manufactured housing units;
 - Lead-based paint and asbestos abatement;
 - Environmental remediation;
 - Elevation;
- Hazard mitigation;
 - Site work to meet Wildland Urban-Interface standards for homes in high risk areas;

- Public service within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services); and,
- Other administrative activities associated with the recovery of impacted single-family housing stock.

Program grant recipients must meet the following criteria:

- Owned and occupied the damaged home as their primary residence at the time of the qualifying disaster;
- The home must have been damaged as a result of the qualifying disaster and located in an impacted county or zip code;
- Must be current on property taxes or have an approved payment plan or tax exemption;
- Must have been correctly permitted and permissible for the zoning area or local development standard; and
- The property must be a single-family dwelling, such as stick built, modular, or mobile home.

Prioritization criteria for participation in the Program will ensure that sufficient housing recovery programming will be directed toward LMI beneficiaries.

Approximate size of the project area:

The project area is within the limits of Lake County, see Figure 1.

Length of time covered by this review:

The Program activities are being evaluated through a tiered environmental review. This Tier 1 Review will be valid for five (5) program years after the issuance of the Authority to Use Grant Funds, barring any major changes in the program and/or in environmental conditions.

Maximum number of dwelling units or lots addressed by this tiered review: Up to 1,300 units, including units in other counties being analyzed separately.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a)(3)(i) and §58.35(a)(4)(i-ii), subject to laws and authorities at §58.5.

Funding Information

| Grant Number | HUD Program | Program Name | Funding Amount |
|-----------------|-------------|--------------|----------------|
| B-19-DV-06-0001 | CDBG-DR | OOR | \$98,451,666 |
| B-19-DV-06-0002 | CDBG-DR | OOR | \$106,655,972 |

Estimated Total HUD Funded Amount: \$205,107,638

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:
\$205,107,638

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

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|--|
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6 | | |
| Airport Hazards 24 CFR Part 51 Subpart D | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>The purpose of 24 CFR Part 51D is to promote compatible land uses around civil airports and military airfields. It is HUD policy to not provide any assistance to projects and actions in Runway Protection, Accident Potential, or Clear Zones if the project is frequently used or occupied by people. To ensure compatible land use development, the site's proximity to civil and military airports must be determined.</p> <p>In accordance with 24 CFR 51.301(c), civil airports are defined as commercial service airports designated by the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS). In Lake County, Lampson Field in Lakeport is the only NPIAS identified airport for public use, however Lampson Field is classified as a general aviation airport not a commercial service airport (U.S. Department of Transportation, 2020).</p> <p>HUD regulations include restrictions on construction and major rehabilitation in clear zones and accident potential zones associated with runways at military airfields. There are no known military clear zones or accident potential zones in Lake County.</p> <p>This project is in compliance with the Airport Hazards requirement.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | The Coastal Barrier Resources Act applies to coastal barriers along the Atlantic Ocean, the Gulf of Mexico, the Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. This project is located in a state outside of the Coastal Barrier Resource System. This project is in compliance with the Coastal Barrier Resources Act. |
| 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 checked="" type="checkbox"/> <input type="checkbox"/> | The Flood Disaster Protection Act of 1973 requires that projects receiving federal assistance be covered by flood insurance if they are located in a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA). If a property is located in a SFHZ on a National Flood Insurance Program map, the homeowner is required to maintain flood insurance. Lake County participates in the NFIP (See Attachment 1) and has several areas that have been designated within the 100-year flood zone provided on Figure 2 (FEMA, 2020). Compliance will be achieved at the site-specific level of environmental review. |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
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| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5 | | |
| Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>The Clean Air Act is administered by the U.S. Environmental Protection Agency (USEPA) which sets National Ambient Air Quality Standards (NAAQS).</p> <p>Lake County is considered an attainment area as viewed on the EPA's "Counties Designated Nonattainment" map (Attachment 2). According to the USEPA Greenbook, Lake County was in attainment in 2020 for all NAAQS (USEPA, 2020). The USEPA predicted the average indoor radon screening level for Lake County less than 2 picocuries per liter or Zone 3.</p> <p>The Lake County Air Quality Management District is the agency responsible for enforcement of all local, state, and federal air quality laws, rules and regulations in the County to meet NAAQS. Agency feedback is provided as Attachment 2.</p> <p>Site-specific projects will comply with any local construction permit and/or code requirements.</p> <p>This project is in compliance with the Clean Air Act.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|--|
| Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | The Coastal Zone Management Act applies to areas of California's Coastal Zone, which is defined as the land and water area of California from the Oregon border to the border of Mexico. Lake County is an inland county and does not border the Pacific Ocean. Therefore, Lake County is not included as part of the California Coastal Commission. See Figure 1 for the location of Lake County. This project is in compliance with the Coastal Zone Management Act. |
| Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | Proposed program activities will be completed on existing residential sites and potentially proximate to contaminated sites. It is HUD policy that all properties proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, if a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. Attention should be given to any proposed program site in the general proximity of areas such as dumps, landfills, industrial sites, or other locations that contain or may have contained hazardous wastes. California's Department of Toxic Substances Control (DTSC) maintains EnviroStor, an online data management system for hazardous waste sites and sites with known or suspected contamination issues. In Lake County, EnviroStor returned 48 unique locations, of which two were identified as no action required and six required no further action (CA DTSC, 2020). |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
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| | | <p>According to CA DTSC there are no permitted hazardous waste disposal facilities or current pending hazardous waste disposal facility permits for Lake County.</p> <p>In Lake County there is one “Superfund”/ National Priorities List site under the federal Comprehensive Environmental Response, Compensation and Liability Act (USEPA, 2020). The Superfund site in Lake County is the Sulphur Bank Mercury Mine in Clearlake Oaks. The site is an abandoned open pit mercury mine located on the shoreline of Clear Lake and work studies are ongoing (USEPA, 2020).</p> <p>A map of solid and hazardous waste disposal facilities, contaminated sites, and large quantity hazardous waste generator locations in Lake County is provided as Figure 3.</p> <p>Program locations may include lead-based paint and materials containing asbestos. These are hazardous materials that could affect the health of residents. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos and lead-based paint.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. | | | | |
|--|---|---|----|--------------------------|-------------------------------------|--|
| Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | <table><tr><td>Yes</td><td>No</td></tr><tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr></table> | Yes | No | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>The Endangered Species Act (ESA), as amended, is intended to protect and recover species in danger of extinction and the ecosystems they depend upon. HUD must ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species in the wild or destroy or adversely modify its critical habitat.</p> <p>Program locations in Lake County could potentially impact resources managed or regulated by the U.S. Fish and Wildlife Service (FWS) and/or the California Department of Fish and Wildlife (CDFW). In Lake County there are 21 threatened, endangered, or candidate species and 2 critical habitats managed or regulated by the FWS. In addition to these federally-listed species, the CDFW has identified 19 species classified as endangered, threatened, or official candidate under the California Endangered Species Act. Since the program consists of existing single-family owner-occupied rehabilitation or reconstruction generally within the previously disturbed footprint, no habitat disturbance is expected.</p> <p>Figure 4 shows threatened and endangered species and critical habitats found in Lake County.</p> <p>See Attachment 3 for the Lake County federal and state official species list and agency coordination.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |
| Yes | No | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
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| Explosive and Flammable Hazards 24 CFR Part 51 Subpart C | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>The purpose of the explosive and flammable hazards category is to establish safety standards to keep HUD-assisted projects acceptable distances from specific, stationary, hazardous operations which store, handle, or process hazardous substances.</p> <p>The proposed projects do not increase residential densities as they are single-family owner-occupied rehabilitation and reconstruction activities. Because the proposed projects do not increase the number of people being exposed to hazardous operations by increasing residential densities, the proposed project does not meet the definition of a HUD-assisted project per 24 CFR 51.201. The proposed projects will not include hazardous facilities, a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries.</p> <p>This project is in compliance with 25 CFR Part 51, Subpart C.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
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| Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>The purpose of the Farmland Protection Policy Act is to minimize the effect of Federal programs on the unnecessary and irreversible conversion of farmland to nonagricultural uses. This program will provide grants to eligible homeowners to rehabilitate or reconstruct homes damaged or destroyed in federally declared disaster areas. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner.</p> <p>Project activities do not involve farmland conversion and take place on land that was already committed to urban development.</p> <p>This project is in compliance with the Farmland Protection Policy.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
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| Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p>HUD regulations require compliance with Executive Order 11988, Floodplain Management. Executive Order 11988 requires federal activities to avoid impacts to flood plains and to avoid direct and indirect support of floodplain development to the extent practicable.</p> <p>The purpose of this program is for owner-occupied homes to be rehabilitated or rebuilt on existing lots following a disaster. Any activities will take place in the disturbed area of the previously developed parcel and are not expected to result in any permanent direct or indirect impacts to the floodplain.</p> <p>Each subject property will be evaluated for its proximity to floodplain using FEMA issued Flood Insurance Rate Maps (FIRM) to evaluate flood risks and impacts. The evaluation of program activities in a floodplain are included with the 8-step process for Floodplain Management (see written strategies at the end of this document). Lake County 100-year floodplains are shown in the attached Figure 2.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|--|---|---|
| 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"/> | <p>The National Historic Preservation Act of 1966, particularly Sections 106 and 110, protects historic properties from possible harm by federal agency programs. Section 106 review is detailed in 36 CFR Part 800 and will be followed during Tier 1 and Tier 2 activities. Each subject property will be evaluated to determine the year-built date of structures to be rebuilt. Properties over 45 years may be considered a historic property. For potentially historic properties and buildings, consultation with the California State Historic Preservation Officer (SHPO) will be necessary to determine if the site is historic and if the undertaking will have adverse effects. Reconstruction of destroyed historic features or mitigation for loss of such features may be required.</p> <p>Native American tribes with potential cultural and traditional affiliations to Lake County were contacted.</p> <p>See Attachment 4 for letters to California SHPO and associated tribal consultation information.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|--|---|---|
| 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"/> | <p>It is HUDs general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence. For modernization projects in noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards.</p> <p>Each subject property will be evaluated to determine if it is within 1,000-feet of a major roadway; 3,000-feet of a railroad; or 15-miles of a military or FAA regulated civil airfield.</p> <p>If any proposed sites are within these distances, a HUD Noise Abatement and Control checklist will be followed to determine if the noise is at an acceptable level.</p> <p>All owner-occupied reconstruction and rebuilding projects will comply with applicable local, state, and federal (HUD) regulations governing noise during home construction.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |
| Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>According to the U.S. Environmental Protection Agency's, Sole Source Aquifers Protection Program, there are no Sole Source Aquifers in Lake County.</p> <p>This project is in compliance with the Safe Drinking Water Act Section 1424(e).</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| Wetlands Protection Executive Order 11990, particularly sections 2 and 5 | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p>Executive Order 11990 protects wetlands and requires federal activities to avoid adverse impacts to wetlands. Jurisdictional wetlands are visible through the National Wetlands Inventory Map. Lake County wetlands are shown in Figure 5, National Wetlands Inventory Map.</p> <p>The purpose of this project is for owner-occupied homes to be rehabilitated or rebuilt on existing lots following a disaster. Any activities will take place in the disturbed area of the previously developed parcel and are not expected to result in any new permanent direct or indirect impacts to wetlands.</p> <p>Each subject property will be evaluated for its proximity to wetland resources where applicable. If any impacts on wetlands are expected, a site-specific eight-step analysis of the long- and short-term adverse impacts must be performed to determine if there are any practicable alternative to providing CDBG-DR assistance in the wetland. The evaluation of proposed project activities on wetland resources are included with the 8-step process for Floodplain Management. Best management practices for soil erosion and stormwater management will be applied as appropriate for protection of wetlands.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|---|
| <p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p> | <div> <div>Yes</div> <div>No</div> <div> <input type="checkbox"/> <input checked="" type="checkbox"/> </div> </div> | <p>There are no designated Wild and Scenic Rivers in Lake County according to the Wild and Scenic River Systems Designations Map, compiled by the U.S. Department of Agriculture (USDA) Forest Service (USDA Forest Service, 2016). There are also no river segments currently being studied as a potential component of the Wild and Scenic River System in Lake County.</p> <p>The Nationwide Rivers Inventory (NRI) is a listing of free-flowing river segments that are potential candidates for future inclusion in the National Wild and Scenic River System. Under the Wild and Scenic Rivers Act Section 5(d)(1) and related guidance, all federal agencies must seek to avoid or mitigate actions that would adversely affect an NRI segment. The NRI river segments located in Lake County lists Cache Creek extending from the dam one mile above Peachtree Crossing to Guinda Bridge. The Cache Creek is used for recreational and scenic purposes and meanders through rolling foothills with moderate canyons and large expanses of undeveloped areas (NPS, 2018).</p> <p>Each subject property will be evaluated for its proximity to Cache Creek. Any properties within proximity will be evaluated to see if the project would pose an adverse effect on the natural, cultural, and or recreational values of the river.</p> <p>Figure 6 shows the locations of Cache Creek in Lake County. See Attachment 5 for National Park Service consultation.</p> <p>Compliance will be achieved at the site-specific level of environmental review.</p> |

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6 | Was compliance achieved at the broad level of review? | If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review. |
|---|---|--|
| ENVIRONMENTAL JUSTICE | | |
| Environmental Justice Executive Order 12898 | Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> | <p>The proposed activities for Lake County are to rehabilitate and rebuild single family homes for low- to moderate- income individuals that were impacted during 2018 wildfires. These activities are to return individuals to their homes, essentially rebuilding the impacted neighborhoods. The rebuilding activities will improve the condition of the housing, making it more durable, energy-efficient, and safe from mold, asbestos, and lead-based paint.</p> <p>Low to moderate income households will receive significant benefits from this program. This program does not create any adverse environmental impacts disproportionate for the low-income and/or minority community.</p> <p>This project is in compliance with Executive Order 12898.</p> |

Attach supporting documentation as necessary, including a site-specific checklist.

Supporting Documentation

Figure 1 – Lake County, CA Location Map

Figure 2 – Lake County, CA 100-Year Floodplain

Figure 3 – Lake County, CA Hazardous Waste Sites

Figure 4 – Lake County, CA Sensitive Species and Critical Habitat

Figure 5 – Lake County, CA National Wetlands Inventory Map

Figure 6 – Lake County, CA Wild and Scenic Rivers

Attachment 1 – Lake County, CA National Flood Insurance Program

Attachment 2 – Clean Air Act

Attachment 3 – Endangered Species

Attachment 4 – Historic Preservation

Attachment 5 – Wild and Scenic Rivers

Attachment 6 – Site Specific or Tier 2 Reviews

Determination

- ☐ Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
- ☒ There are no extraordinary circumstances which would require completion of an EA, and this project may remain Categorically Excluded Subject to Section 58.5.

Preparer Signature:

Date:_____

Name/Title/Organization: Amanda Tamburro, Sr. Env. Engineer, Hagerty Consulting

Responsible Entity Agency Official Signature:

Date:_____

Name/Title: Janice L. Waddell, Branch Chief, Federal Programs

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).

This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.

Written Strategies

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

| Law, Authority, or Factor | Written Strategy |
|---|---|
| Flood Insurance | <p>Lake County participates in the National Flood Insurance Program.</p> <ol style="list-style-type: none">1. Include a copy of the FEMA Flood Insurance Rate Map (FIRM) for the proposed site.2. If the proposed site is in a special flood hazard area (SFHA), a copy of the flood insurance policy declaration or paid receipt should be obtained. Homeowners are required to maintain flood insurance if the program activity is within a SFHA. |
| Contamination and Toxic Substances | <ol style="list-style-type: none">1. Identify any facilities near the proposed project location that contained hazardous materials, contamination, toxic chemicals, etc., using California's EnviroStor database. This includes sites within 3,000-feet of a solid waste landfill; a proposed location with an underground storage tank; or a hazardous waste site. If none, and home was built after 1978, review complete.2. If yes, work with HCD to identify the mitigation needed according to applicable regulations to ensure the homeowner will not incur exposure to any toxic chemicals or contaminants. A Phase I environmental site assessment prepared in accordance with ASTM International, Inc. standards may be required.3. For homes built prior to 1978:<ol style="list-style-type: none">a. All exposed surfaces shall be inspected for lead-based paint and defective surfaces will be tested for lead based paint. If any lead-based paint is found, coverage, removal, or other corrective action will be taken to comply with applicable regulations.b. Homes are tested for the presence of asbestos in areas needing repair, and more broadly, if the home is demolished for reconstruction. |

| Law, Authority, or Factor | Written Strategy |
|----------------------------------|--|
| Endangered Species | <ol style="list-style-type: none"> 1. Determine if all proposed activities are occurring in the pre-existing disturbed area associated with the structure. Confirm the following: <ol style="list-style-type: none"> a. The scope of work does not include any native tree removal. b. The scope of work does not have the potential to affect any federally or state-listed species and/or designated critical habitat. c. The pre-construction survey of the property/project location does not identify any nesting birds that may be protected under the Migratory Bird Treaty Act (MBTA) of 1918 or adjacent to a stream. d. If yes to all, review concluded. 2. If proposed activities involve construction outside of pre-existing disturbed area, evaluate if any of the federally or state listed species or critical habitats are present or potentially present? Are they potentially subject to disturbance from project activities? If yes, prepare a Biological Assessment to assess if proposed activities “may affect” proposed species and designated and proposed critical habitat. 3. Consult State and Federal wildlife agencies (National Marine Fisheries Service) if work to repair or reconstruct homes would include work in or adjacent to streams (or tributaries to such streams) that are known to contain Endangered Species Act listed fish species (salmon, steelhead, and sturgeon), their critical habitat, or essential fish habitat. |

| Law, Authority, or Factor | Written Strategy |
|----------------------------------|--|
| Floodplain Management | <p>Identify if the proposed site is located in a FEMA SFHA, based upon FEMA FIRM map. If site is within a 100-year floodplain, the site-specific project must undergo the 8-Step Decision Making Process.</p> <p><u>8-Step Decision Making Process</u></p> <ol style="list-style-type: none"> 1. Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland. 2. Notify the public of a proposal and involve the affected and interested public in the decision making process. 3. Identify and evaluate practicable alternatives. 4. Identify potential direct and indirect impacts of associated with floodplain development. 5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain. 6. Re-evaluate the alternatives. 7. If the re-evaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain, publish a final notice that includes the reasons why the proposal must be located in the floodplain, a list of alternatives considered, all mitigation measures to be taken to minimize the adverse impacts and give the public a minimum of 7 days for comment. 8. Implement the proposed action. |
| Historic Preservation | <p>For potentially historic properties and buildings, consultation with the SHPO will be necessary to determine if site is historic and if the undertaking will have adverse effects. Reconstruction of destroyed historic features or mitigation for loss of such features may be required. If HCD enters into a programmatic agreement (PA) with the SHPO, HCD will follow the process described in the PA. Until a PA is finalized and as requested by the SHPO, a list of all properties including those less than 45 years old will be provided to the SHPO for review.</p> |

| Law, Authority, or Factor | Written Strategy |
|------------------------------------|--|
| Noise Abatement and Control | <ol style="list-style-type: none"> 1. Determine if the site is within 1,000-feet of a major roadway, 3,000-feet from a railroad, or 15 miles from a military or FAA-regulated civil airfield. If no, review concluded. 2. If the proposed site is within those distances, documentation is required showing the noise level is Acceptable (at or below 65 DNL); or 3. If within those distances, documentation showing that there is an effective noise barrier; or 4. If within those distances, documentation showing the noise generated by the noise source(s) is Normally Unacceptable (66 – 75 DNL) and identifying noise attenuation requirements that will bring the interior noise level to 45 DNL and/or exterior noise level to 65 DNL. |
| Wetlands Protection | Verify if the project area is located in a designated wetland or within the wetland buffer zone identified on the NWI. If so, follow the 8 Step Decision Making Process above. |
| Wild and Scenic Rivers | <ol style="list-style-type: none"> 1. Determine if the site is within proximity (generally within a quarter of a mile) to the NRI listed Cache Creek. 2. Consult with the managing federal agency to determine if the proposed project may have an adverse effect on the natural, cultural, and/or recreational values of Cache Creek and, if so, to determine the appropriate avoidance or mitigation measures. |

REFERENCES

State of California Department of Toxic Substances. (2020). *Envirostor*. Database. <https://www.envirostor.dtsc.ca.gov/public/search>.

U.S. Department of Agriculture, Forest Service. (November 2016). *National Wild and Scenic Rivers Systems*. <https://www.rivers.gov/california.php>

U.S. Department of the Interior, National Park Service. (2018). *Nationwide Rivers Inventory*. <https://irma.nps.gov/Datastore/Reference/Profile/2237082>

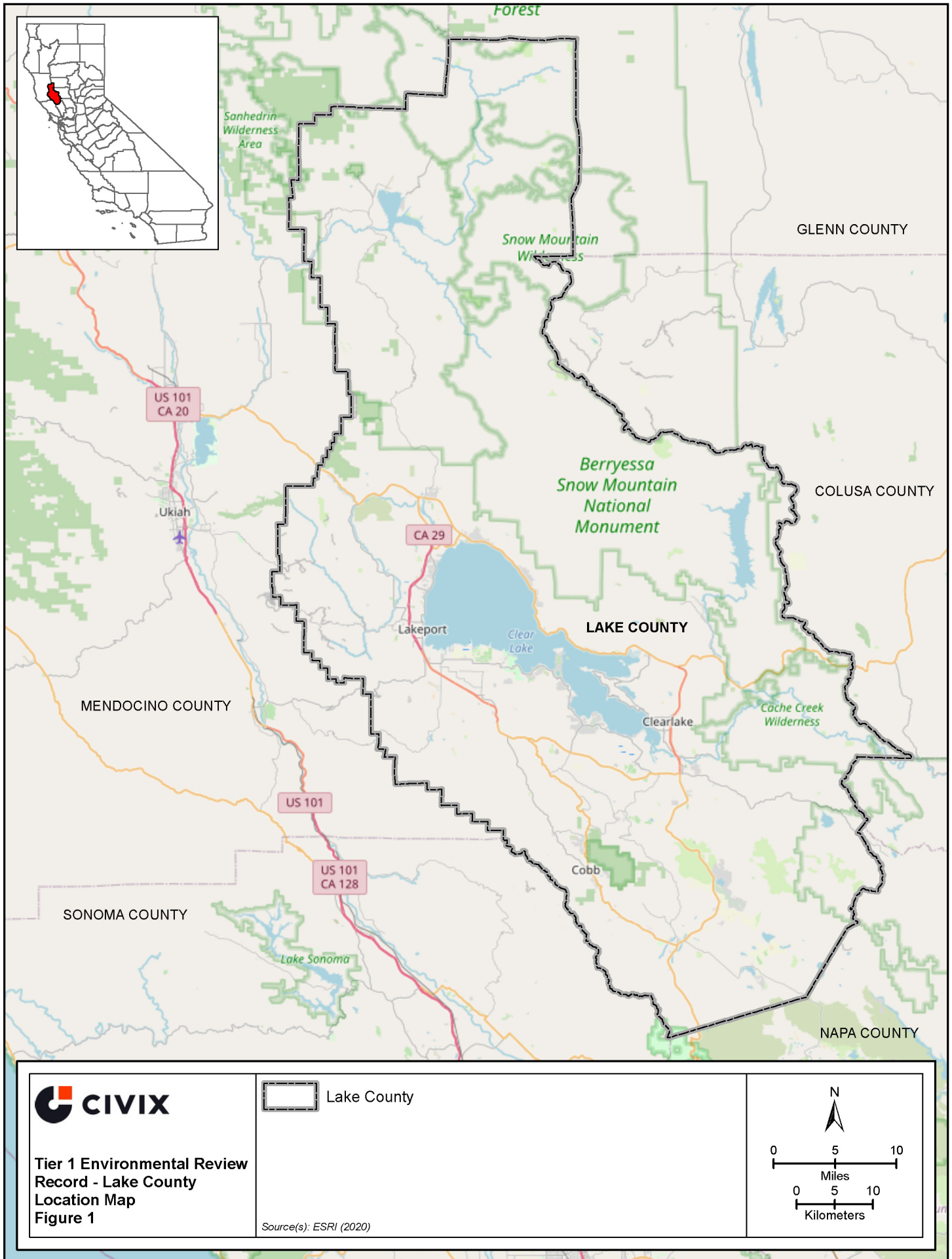
U.S. Department of Transportation, Federal Aviation Administration. (2020). *National Plan of Integrated Airport Systems (NPIAS), 2021-2025*. https://www.faa.gov/airports/planning_capacity/npias/current/

U.S. Environmental Protection Agency. (September 30, 2020). *California Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants*. Green Book. https://www3.epa.gov/airquality/greenbook/anayo_ca.html

U.S. Environmental Protection Agency. (January 13, 2020). *RCRA Info Search*. <https://enviro.epa.gov/facts/rcrainfo/search.html>.

U.S. Federal Emergency Management Agency. (2020). *FEMA Flood Map Service Center: Search By Address*. <https://msc.fema.gov/portal/home>.

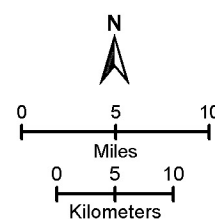
Figures

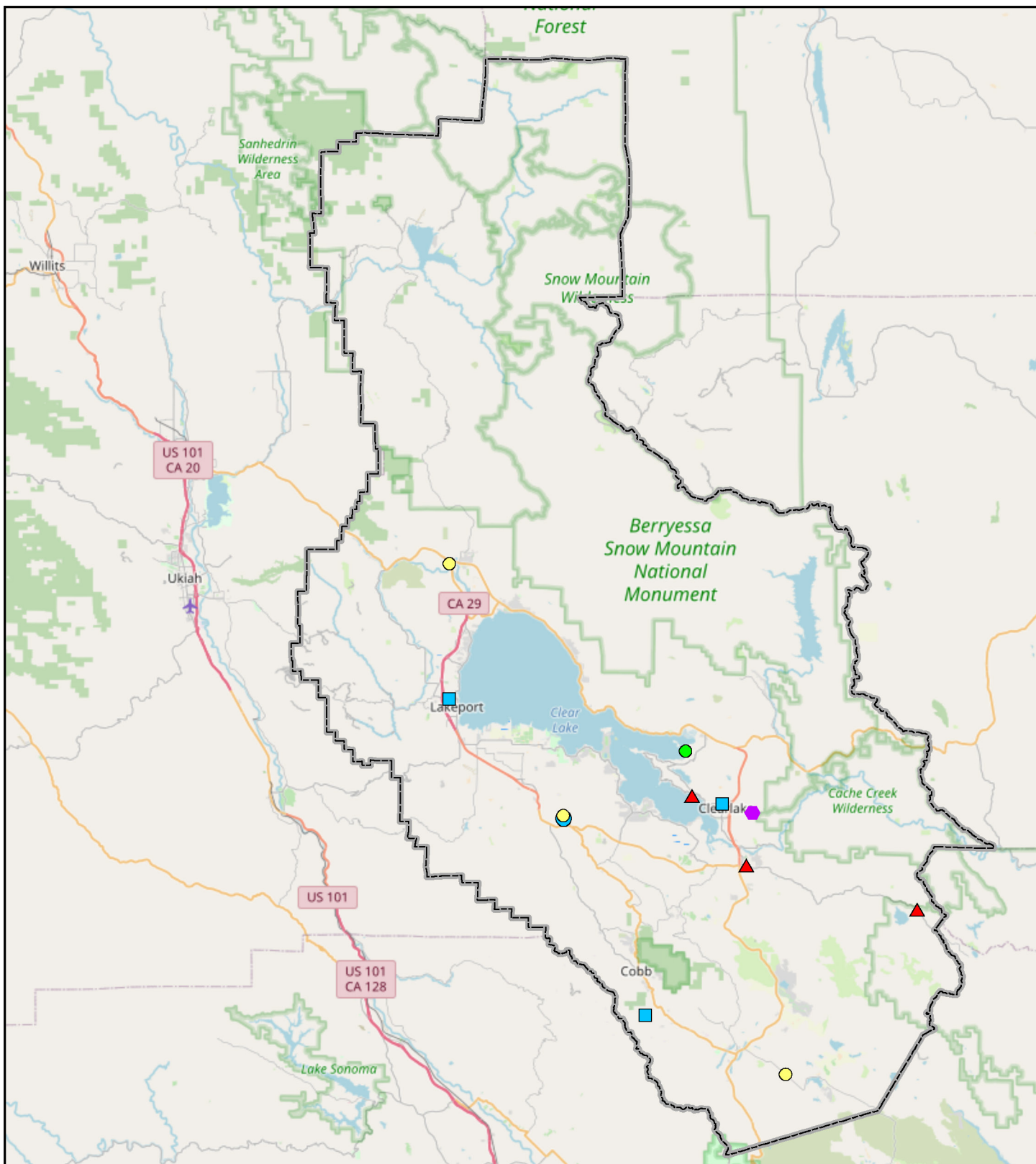




**Tier 1 Environmental Review
Record - Lake County
100-year Floodplain
Figure 2**

Source(s): FEMA (2020)

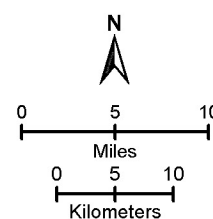


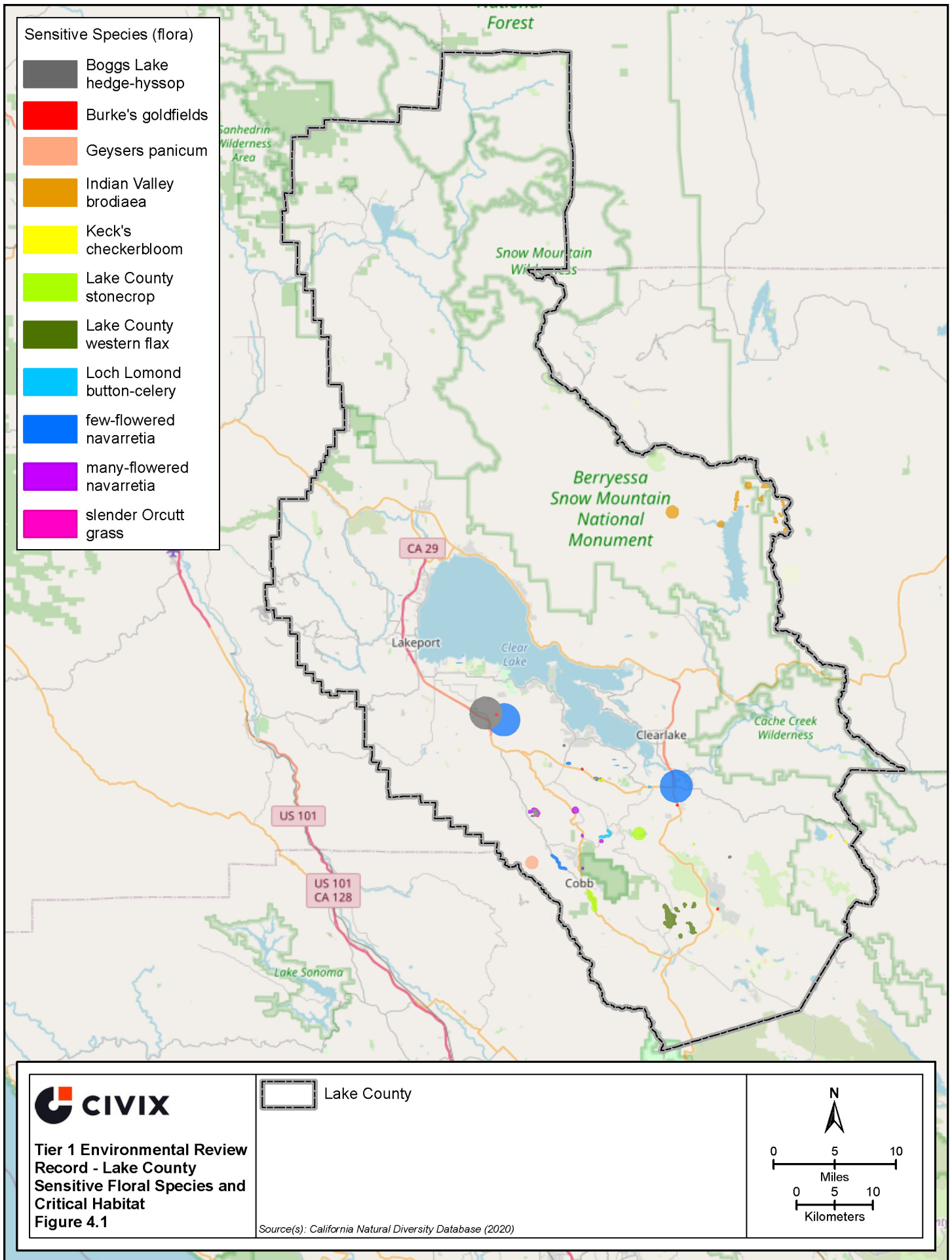


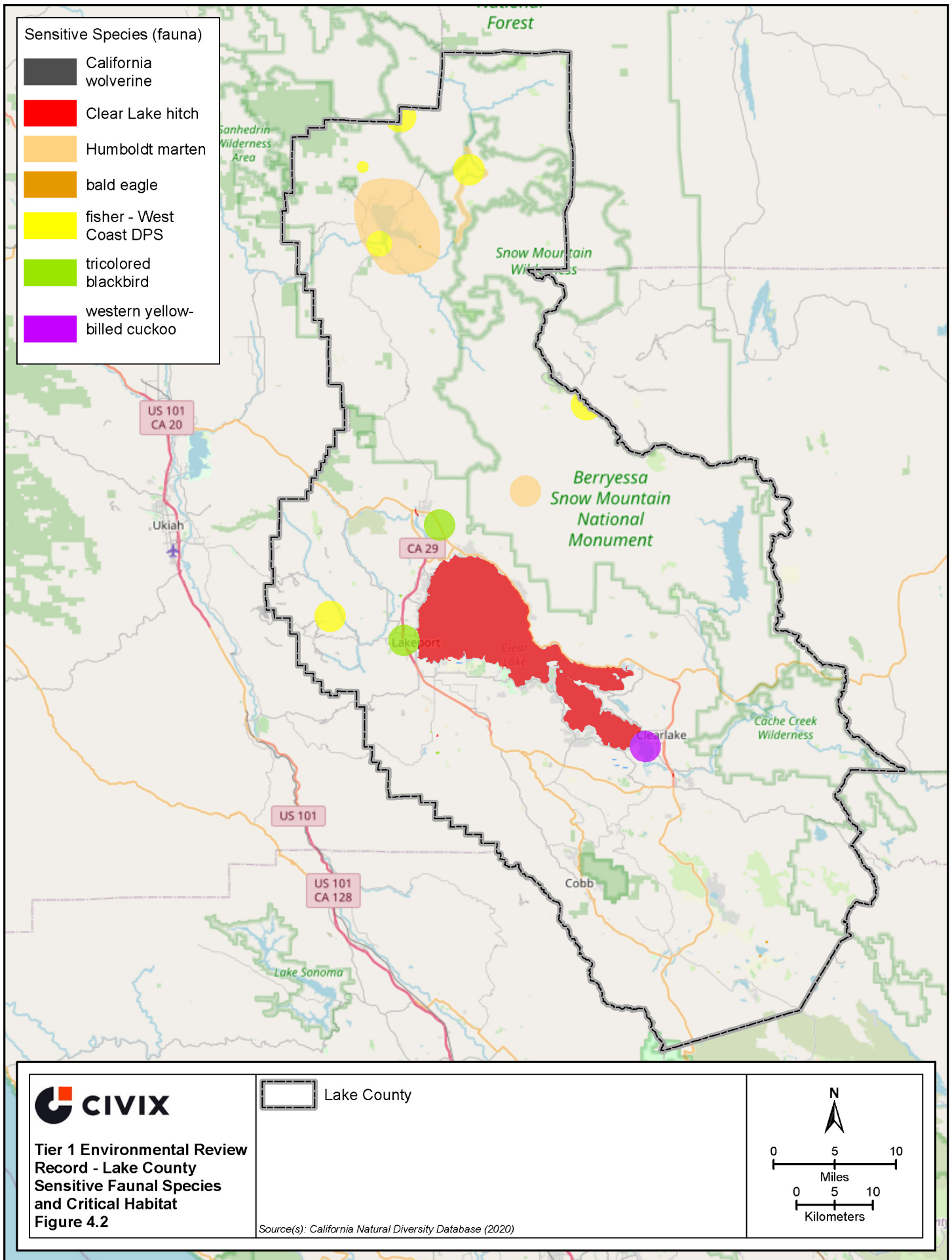
**Tier 1 Environmental Review
Record - Lake County
Hazardous Waste Sites
Figure 3**

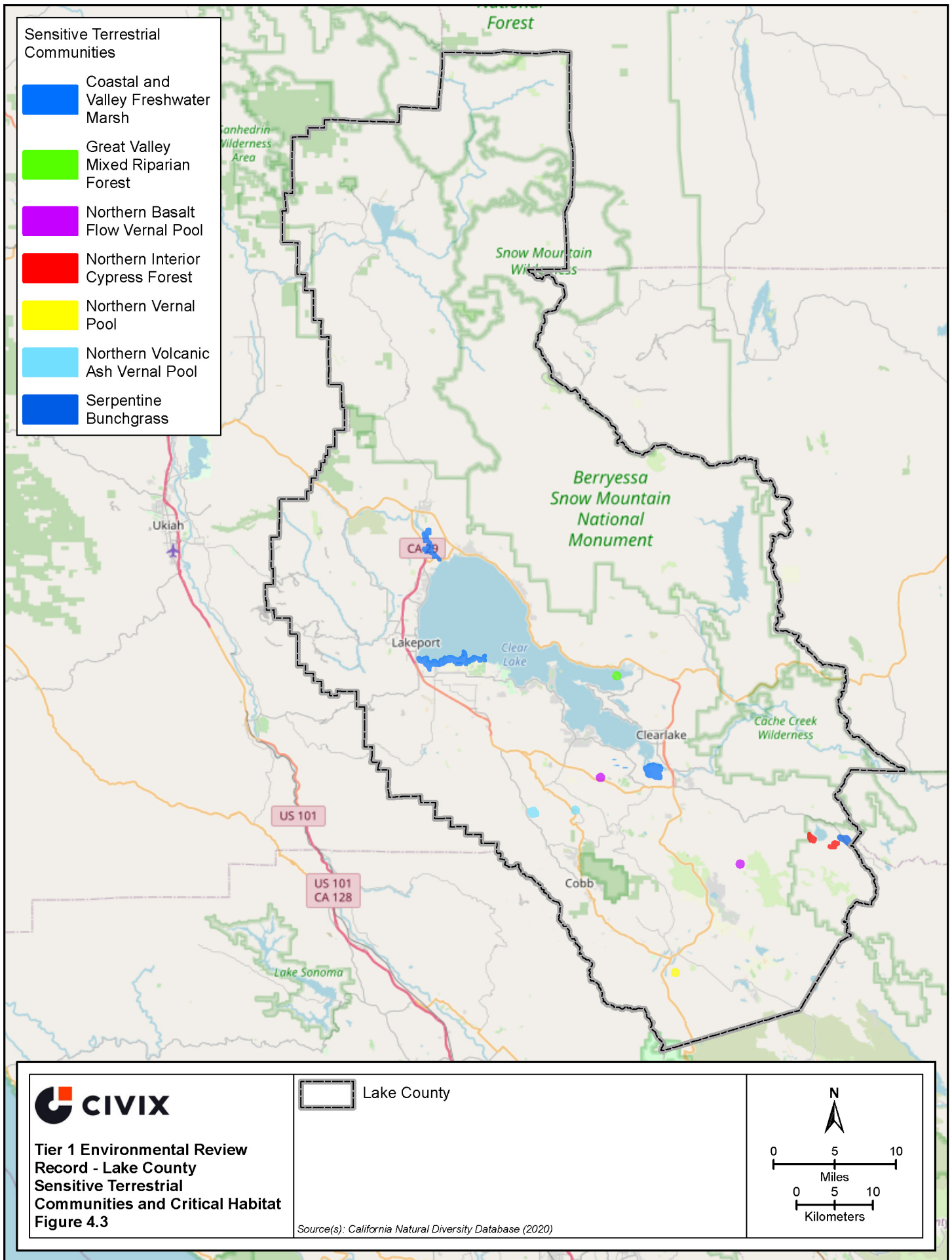
- | | | |
|-------------------------------|---|-------------------------------|
| Lake County | Hazardous Waste Treatment Storage and Disposal Site | RCRA Large Quantity Generator |
| Superfund Site | Toxic Release Inventory Site | Hazardous Waste Cleanup Site |
| Solid Waste Landfill Facility | | |

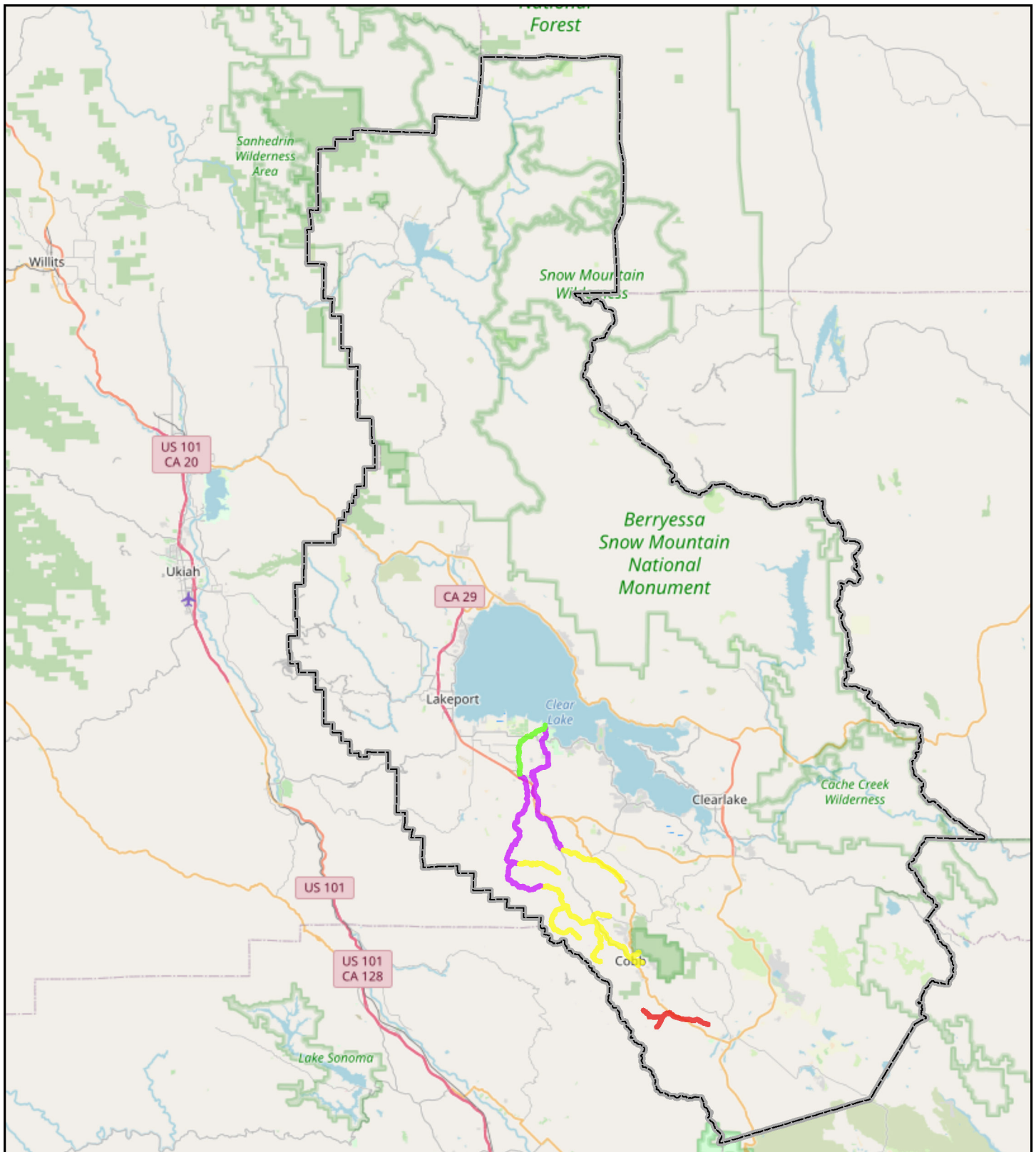
Source(s): U.S EPA Facility Registry Service (2020); Dept. of Toxic Substance Control (2020)







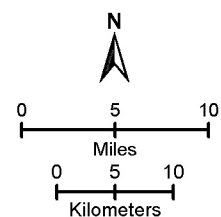


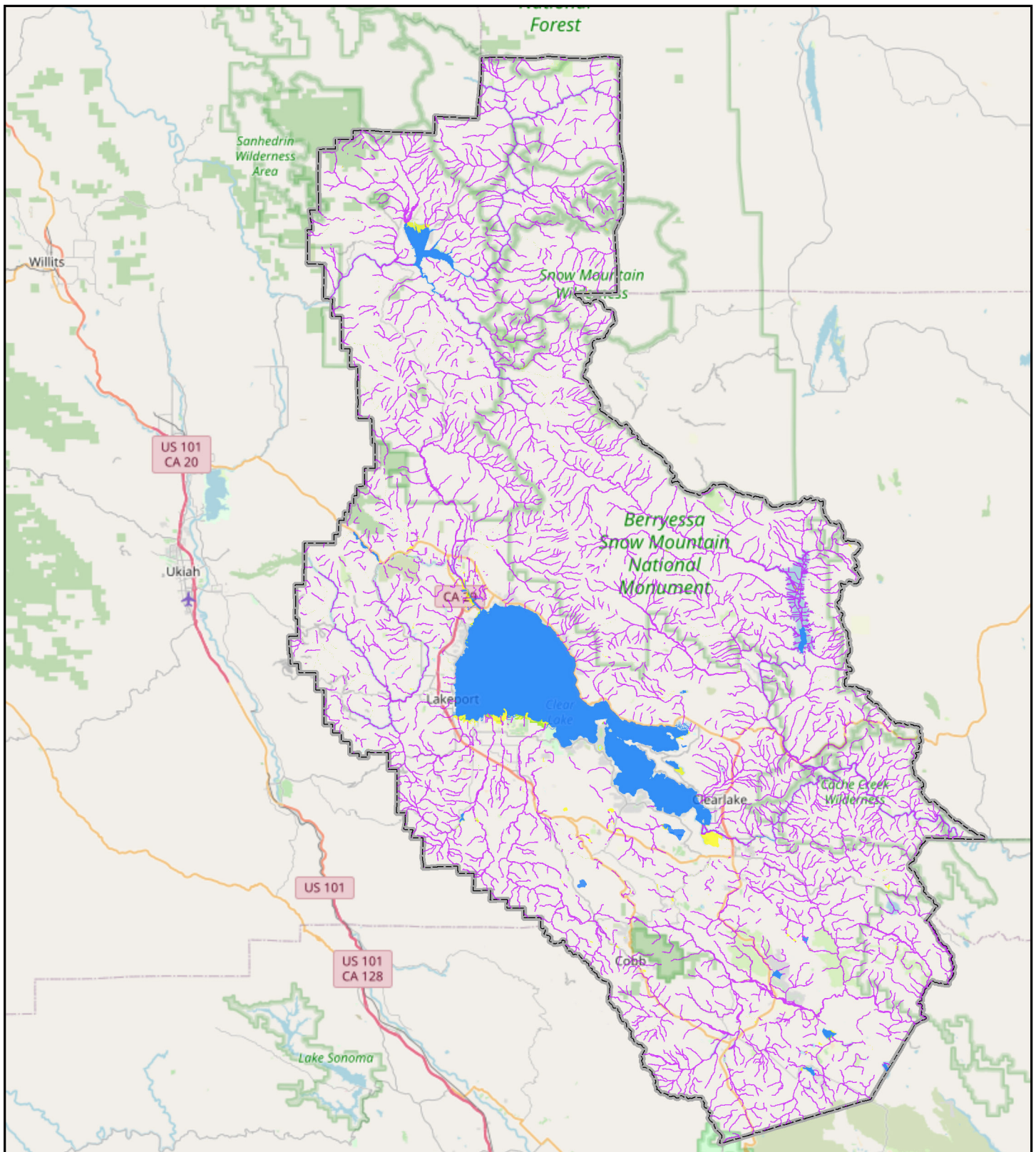


**Tier 1 Environmental Review
Record - Lake County
Sensitive Aquatic
Communities and Critical Habitat
Figure 4.4**




- Sensitive Aquatic Communities**
- Central Valley Drainage Rainbow Trout/Cyprinid Stream
 - Clear Lake Drainage Resident Trout Stream
 - Clear Lake Drainage Seasonal Lakefish Spawning Stream
 - Clear Lake Drainage Cyprinid/Catostomid Stream

Source(s): California Natural Diversity Database (2020)



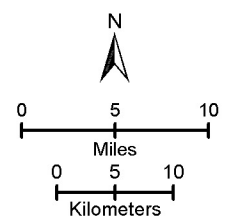


**Tier 1 Environmental Review
Record - Lake County
National Wetlands Inventory
Figure 5**

-  Lake County
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland

-  Freshwater Pond
-  Lake
-  Riverine

Source(s): National Wetlands Inventory (2020)

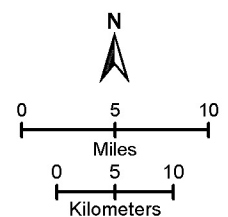




**Tier 1 Environmental Review
Record - Lake County
Nationwide Rivers Inventory
Figure 6**

- Lake County
- Nationwide Rivers Inventory -
Rivers (1. Cache Creek)

Source(s): National Wetlands Inventory (2020)



Attachment 6: Site Specific or Tier 2 Reviews

Attachment 6: Site-Specific or Tier 2 Reviews

Update this document as site-specific reviews are completed. Complete each site-specific review according to the written strategies outlined in the broad-level review and attach it in the environmental review record.

[illegible]