

May 17, 2017

**FOR IMMEDIATE POSTING**

**PUBLIC NOTICE FOR COMMENT**

**Notice of Availability of the Final Environmental Impact Statement completed by U.S. Forest Service (USFS) for California Rim Fire Reforestation in Tuolumne County, CA for public review and comment and the State of California's Adoption of the USFS FEIS, and Notice of Intent to Request Release of Funds**

**SUMMARY:** The California Department of Housing and Community Development (HCD), as the Responsible Entity, for the State's National Disaster Resilience Competition (NDRC) award, is adopting the U.S. Forest Service/Stanislaus National Forest's (USFS) Rim Fire Reforestation Final Environmental Impact Statement (FEIS). The FEIS was developed in accordance with the National Environmental Policy Act (NEPA). HCD is requesting comments on the FEIS for activities to be carried out under the NDRC award.. The USFS Rim Fire Reforestation FEIS is part of HCD's Environmental Review Record (ERR) for the proposed Forest and Watershed Health Program (FWHP). The ERR must be completed prior to carrying out the FWHP, developed as one pillar of the Community and Watershed Resilience Program (CWRP) submitted to the U.S. Department of Housing and Urban Development (HUD) under the State's NDRC funding proposal. The State's NDRC award is funded with Community Development Block Grant-National Disaster Resilience (CDBG-NDR) monies. The award is for seventy million, three hundred fifty nine thousand, four hundred fifty nine dollars (\$70,359,459) to assist in recovery and resiliency efforts in Tuolumne County. Funding is from the CDBG-NDR appropriation provided by the Disaster Relief Appropriations Act, 2013 (PL 113-2), which made emergency funds available for Hurricane Sandy and other Presidentially declared disasters occurring in 2011-2013. The CDBG-NDR award included approximately twenty eight million (\$28,000,000) for the FWHP. The FWHP consists of a comprehensive Reforestation strategy, including (1) reforestation of about 25,000 acres within the 2013 Rim Fire including deer habitat enhancement and natural regeneration areas. This work includes fuels reduction and vegetation control where needed to ensure the long-term resilience of these landscapes; (2) noxious weed eradication on about 5,700 acres; and (3) thinning of older surviving conifer plantations within the Rim to create an individual, clump and opening structure on about 12,700 acres; The FEIS includes a detailed project description and the project-level and cumulative environmental impacts associated with four reforestation Alternatives as well as a No Action Alternative. HCD is requesting comments on the use of the FEIS under the State's CDBG-NDR award.

**NEED FOR ADOPTING THE FEIS:** The proposed Rim Fire Reforestation activities to be carried out under the States' CDBG-NDR award are the same activities reviewed in the USFS Rim Fire Reforestation FEIS. Therefore, HCD is adopting the USFS FEIS document in order to satisfy requirements of federal environmental statutes.

**AVAILABILITY OF THE FEIS:** An electronic copy of the USFS Rim Fire Reforestation FEIS is available for public review at <http://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc.shtml#notices>. A paper copy for review or copying, or CDs of the FEIS are available starting on May 26, 2017 at the Stanislaus National Forest Headquarters, 19777 Greenley Road, Sonora, CA 95370 between 8:30 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

**DATES:** Comments must be submitted on or before June 26, 2017, using one of the methods in the **ADDRESSES** section of this NOA.

**ADDRESSES:** All interested agencies, groups, and persons are invited to submit written comments on HCD's use of the USFS Rim Fire Reforestation FEIS to carry out activities under the CDBG-NDR award using any one of the following methods:

- E-mail to [ca-ndrc@hcd.ca.gov](mailto:ca-ndrc@hcd.ca.gov) with "Comments – Adoption of Reforestation FEIS" in the subject line.
- Mail: Department of Housing and Community Development, Division of Financial Assistance, 2020 West El Camino Avenue, Suite 400, Sacramento, CA 95833, Attention: NDR Comments

**FOR FURTHER INFORMATION CONTACT:** Patrick Talbott, Contract Manager, Department of Housing and Community Development, Division of Financial Assistance, 2020 West El Camino Avenue, Suite 400, Sacramento, CA 95833, email [ca-ndrc@hcd.ca.gov](mailto:ca-ndrc@hcd.ca.gov)

**SUPPLEMENTARY INFORMATION:**

**Project Description:**

The Rim Fire Reforestation Final FEIS was prepared by the USFS to implement Reforestation work within the 2013 Rim Fire, which burned over 250,000 acres. The FEIS analyses about 25,000 acres in the Rim Fire burn scar for reforestation. In 2014, HUD released a Notice of Funding Availability (NOFA) for the NDRC allowing eligible states and jurisdictions to apply for disaster recovery and resilience activities related to a presidentially declared disaster that occurred between 2011 and 2013. HCD, in partnership with the U.S. Forest Service other state agencies, submitted a successful funding proposal to HUD, on behalf of the State of California, for Rim Fire Reforestation FEIS funding. CDBG– NDR funding requires compliance with the NEPA as stated in HUD's regulations as outlined in 24 CFR part 58. The FWHP is also subject to the Council of

Environmental Quality (CEQ) NEPA regulations at 40 CFR parts 1500–1508. HUD has further outlined environmental review requirements in a Federal Register notice published on June 7, 2016 (81 FR 36557). HCD is the responsible entity that has assumed environmental responsibilities for the CDBG–NDR funding for two of the three CWRP pillars in accordance with 24 CFR 58.1(b)(1).

**PUBLIC MEETINGS HELD ON THE NDRC APPLICATION TO HUD:**

- NDRC Phase 1 - All meetings, comments and responses to comments for California’s Phase 1 National Disaster Resilience Competition Application can be found here: <http://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc-application-documents/docs/AttDConsultationSummary.pdf>
- NDRC Phase 2 - All meetings, comments and responses to comments for California’s Phase 2 National Disaster Resilience Competition Application can be found here: <http://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc-application-documents/docs/AttDConsultationSummary2.pdf>

**PUBLIC COMMENT PERIOD AND MEETINGS HELD BY THE USFS IN DEVELOPMENT OF THE RIM FIRE REFORESTATION FEIS:**

**Comment Period:** Page 17 of the Reforestation EIS:

**Public Comment Period (45 days) for the Draft EIS Notice of**

**Availability (DEIS)** began with publication of the NOA in the Federal Register on November 27, 2015 (80 Federal Register 228, November 27, 2015; p. 74104). On December 1, 2015 the Forest Service published a legal notice in the Union Democrat announcing the Forest would accept comments for 45-days following the November 27, 2015 publication of the NOA in the Federal Register. During this period, the Forest hosted a public open house on December 3, 2015. All comments and responses to comments submitted on the Draft EIS are included in the posted Rim Fire Reforestation FEIS in Section F, starting on page 597.

**Meetings:** Pages 15 and 16 of the Reforestation EIS:

Between 10/16/2013 and 12/3/2015 the USFS hosted 8 public meetings, 5 tours to the Rim Fire area, 1 Tribal consultation day, and conducted several presentations to different interested groups including the Tuolumne County Alliance for Resources and the Environment (TuCARE) Board of Directors, the local Sierra Club group and Forest Range Permittees.

**FEIS:**

The Reforestation FEIS is available at <http://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc.shtml#notices> as well as at the locations listed above in ADDRESSES. The FEIS includes a detailed project description and the project-level and cumulative environmental impacts associated with four reforestation Alternatives as well as a No Action Alternative. Each of the four Reforestation Alternatives consists of a unique planting design and different seedling numbers per acre and Alternative 4 would only reforest

20% of each treatment unit (a total of about 3,100 acres). All 4 Action Alternatives include thinning on about 12,700 acres to an Individual, Clump and Opening (ICO) structure. Noxious weed eradication is proposed on about 5,700 acres under Alternatives 1 and 5 utilizing a variety of tools and for about 3,100 acres under Alternatives 3 and 4 which only utilize hand treatments. All Action Alternatives would be implemented on the same footprint across the landscape. Deer Habitat Enhancement is emphasized under Alternatives 1, 3 and 5 over about 3,800 acres and for about 1,100 acres under Alternative 4.

**INTENT TO REQUEST A RELEASE OF FUNDS:**

On or about June 27, 2017, the HCD will submit a request to HUD for the release of CDBG-NDR funds under the Disaster Relief Appropriations Act, 2013 (PL 113-2), which made emergency funds available for Hurricane Sandy and other Presidentially declared disasters occurring in 2011-2013, to undertake the FWHP for the purposes described in the **SUMMARY** and **SUPPLEMENTARY** sections above.

**PUBLIC COMMENTS**

Any individual, group or agency may submit written comments on the ERR per **AVAILABILITY** of the FEIS and **ADDRESS/CONTACT INFORMATION** listed above in the NOA.

**ENVIRONMENTAL CERTIFICATION:**

HCD certifies to HUD that Moira Monahan in her capacity as a Division of Financial Assistance. Operations Branch Chief consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the HCD to use Program funds.

**OBJECTIONS TO RELEASE OF FUNDS:**

HUD will accept objections to its release of funds and HCD's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the HCD; (b) HCD has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall

be addressed to HUD at US HUD Region 9, Office of Environment and Energy,  
One Sansome Street, Suite 1200, San Francisco, CA 94104  
Potential objectors should contact HUD to verify the actual last day of the  
objection period.