



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

**2017 Community Development Block Grant – Disaster  
Recovery, Owner-Occupied Housing Rehabilitation and  
Reconstruction Grant Program**

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

**State/Local Identifier:** Nevada County, California under B-18-DP-06-0001

**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:** Nevada County, California

**Additional Location Information:**

**Direct Comments to:** Joseph Helo at [dr-enviro@hcd.ca.gov](mailto: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 Nevada County, California. Nevada County was identified as a Federally Declared Disaster Area from October 2017 disaster events (federally-declared disaster DR-4344). The October 2017 fires burned over 200,000 acres and destroyed buildings

on an estimated 7,050 parcels including 8,922 structures. As a result of DR-4344, 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 2017 CDBG-DR program will provide grants to owner-occupied homeowners to rehabilitate or reconstruct homes damaged or destroyed in the 2017 disasters. The Owner-Occupied Housing Rehabilitation and Reconstruction Program (the “program”) objective is to provide decent, safe, and sanitary housing in the areas affected by the disasters. 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 2017 CDBG-DR program will also provide funding for impacted homeowners to replace their damaged or destroyed manufactured housing units (“MHUs”).

Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same footprint and manner. A reconstructed property must not increase the number of dwellings on site, although the number of rooms may increase or decrease. If a MHU homeowner is not able to replace their MHU on its original site location, the MHU homeowner will be allowed to relocate within the county to a previously developed location already prepared for an MHU with existing utility connections.

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 or MHU 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 MHU.

The program will provide rehabilitation or reconstruction assistance to eligible applicants based on the extent of damage to their primary residences. Program activities may include the following, but not limited to:

- Environmental remediation;
- Permitting, design, and planning;
- Construction, including materials and labor;
- Site preparation for replacement housing; and,
- Lead-based paint and asbestos abatement.

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 Nevada 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 400 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 subject to laws and authorities at §58.5.

**Funding Information**

Grant Number	HUD Program	Program Name	Funding Amount
B-18-DP-06-0001	CDBG-DR	OOR	\$47,627,648

**Estimated Total HUD Funded Amount:** \$47,627,648

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]:  
\$47,627,648

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

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.6</b>		
<b>Airport Hazards</b>  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 Nevada County, the Nevada County Airport is the only NPIAS identified airport for public use, however it is classified as a general aviation airport not a commercial service airport.</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 Nevada County.</p> <p><b>This project is in compliance with the Airport Hazards requirement.</b></p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
<b>Coastal Barrier Resources</b>  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.  <b>This project is in compliance with the Coastal Barrier Resources Act.</b>
<b>Flood Insurance</b>  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"/>	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 SFHA on a National Flood Insurance Program map, the homeowner is required to maintain flood insurance. Nevada County participates in the NFIP (See Attachment 1) and has several areas that have been designated within the 100-year floodplain provided on Figure 2 (FEMA, 2019).  <b>Compliance will be achieved at the site-specific level of environmental review.</b>
<b>Clean Air</b>  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"/>	The Clean Air Act is administered by the U.S. Environmental Protection Agency (USEPA) which sets National Ambient Air Quality Standards.  Nevada County is considered a non-attainment area as viewed on the USEPA's "Counties Designated Nonattainment" map (Attachment 2). The California Air Resources Board administers and enforces air quality in accordance with the State Implementation Plan per the Clean Air Act.

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<p>According to the US EPA Greenbook, Nevada County was in nonattainment in 2020 for 8-hour ozone (2008 &amp; 2015 standards) (USEPA, 2019). The USEPA predicted the average indoor radon screening level for Nevada County as between 2 and 4 picocuries per liter or Zone 2.</p> <p>Nevada County is served by the Northern Sierra Air Quality Management District, which serves Nevada, Sierra, and Plumas Counties. Agency feedback is provided in Attachment 2.</p> <p>Projects will be completed on existing single family home sites and do not include any new buildings or structures other than replacement of damaged homes or conversion of land use facilitating the development of public, commercial, or industrial facilities or five or more dwelling units.</p> <p>Site-specific projects will comply with any local construction permit and/or code requirements.</p> <p><b>This project is in compliance with the Clean Air Act.</b></p>
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes      No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>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. Nevada County is an inland county and does not border the Pacific Ocean. Therefore, Nevada County is not included under the California Coastal Commission's authority. See Figure 1 for the location of Nevada County.</p> <p><b>This project is in compliance with the Coastal Zone Management Act.</b></p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Proposed program activities will be completed on existing residential sites and potentially proximate to contaminated sites.</p> <p>It is HUD’s policy, as described in 24 CFR Part 50.3(i) and 24 CFR 58.5(i)(2), 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.</p> <p>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 Nevada County, EnviroStor returned 96 unique locations, of which 3 sites were identified as no action required and 16 sites required no further action (CA DTSC, 2020).</p> <p>According to CA DTSC there are no permitted hazardous waste disposal facilities or current pending hazardous waste disposal facility permits for Nevada County.</p> <p>In Nevada County there is one listed “Superfund”/National Priorities List sites under the federal Comprehensive Environmental Response, Compensation and Liability Act. The Lava Cap Mine is a 33-acre former gold mine located in the Sierra Foothills. The Lava</p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<p>Cap Mine was listed on the EPA National Priorities List in 1999.</p> <p>A map of solid and hazardous waste disposal facilities, contaminated sites, and large quantity hazardous waste generator locations in Nevada 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><b>Compliance will be achieved at the site-specific level of environmental review.</b></p>
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	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 Nevada County could potentially impact resources managed or regulated by the U.S. Fish and Wildlife Service (FWS) and/or the California Department of Wildlife (CDFW). In Nevada County there are 14 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 12 species classified as endangered, threatened, or official candidate under the</p>



<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<p>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 Nevada County.</p> <p>See Attachment 3 for the Nevada County, CA official species list and agency coordination.</p> <p><b>Compliance will be achieved at the site-specific level of environmental review.</b></p>
<b>Explosive and Flammable Hazards</b>  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><b>This project is in compliance with 25 CFR Part 51, Subpart C.</b></p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
<b>Farmlands Protection</b>  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><b>This project is in compliance with the Farmland Protection Policy.</b></p>
<b>Floodplain Management</b>  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>Nevertheless, 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</p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		for Floodplain Management (see written strategies at the end of this document). Nevada County 100-year floodplains are shown in the attached Figure 2.  <b>Compliance will be achieved at the site-specific level of environmental review.</b>
<b>Historic Preservation</b>  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 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.  Native American tribes with potential cultural and traditional affiliations to Nevada County were contacted.  See Attachment 4 for letters to California SHPO and associated tribal consultation information.  <b>Compliance will be achieved at the site-specific level of environmental review.</b>
<b>Noise Abatement and Control</b>	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B		<p>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><b>Compliance will be achieved at the site-specific level of environmental review.</b></p>
<b>Sole Source Aquifers</b>  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 Nevada County.</p> <p><b>This project is in compliance with the Safe Drinking Water Act section 1424(e).</b></p>
<b>Wetlands Protection</b>  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. Nevada 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</p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<p>reconstructed 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>Nevertheless, each subject property will be evaluated for its proximity to wetland resources. If a proposed activity is within a wetland or could potentially impact a wetland, 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><b>Compliance will be achieved at the site-specific level of environmental review.</b></p>
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes      No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>There are no designated Wild and Scenic Rivers in Nevada County according to the Wild and Scenic River Systems Designations Map, compiled by the USDA Forest Service (USDA Forest Service, 2016). There are also no river segments currently being studied as a potential component of the Wild &amp; Scenic River System in Nevada 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)</p>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<p>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 Nevada County include the Yuba River, South and the Yuba River, Middle (NPS, 2018).</p> <p>Each subject property will be evaluated for its proximity to the NRI river segments. 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 a NRI segment.</p> <p>Figure 6 shows the locations of NRI river segments in Nevada County. See Attachment 5 for National Park Service consultation.</p> <p><b>Compliance will be achieved at the site-specific level of environmental review.</b></p>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed activities for Nevada County are to rehabilitate and rebuild single family homes for low- to moderate- income individuals that were impacted during October 2017 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>

<b>Compliance Factors:</b> 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?	<b>If Yes:</b> Describe compliance determinations made at the broad level. <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
		<b>This project is in compliance with Executive Order 12898.</b>

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

**Supporting Documentation**

**Figure 1** – Nevada County, CA Location Map

**Figure 2** – Nevada County, CA 100-Year Floodplain

**Figure 3** – Nevada County, CA Hazardous Waste Sites

**Figure 4** – Nevada County, CA Sensitive Species and Critical Habitat

**Figure 5** – Nevada County, CA National Wetlands Inventory Map

**Figure 6** – Nevada County, CA Wild and Scenic Rivers

**Attachment 1** – Nevada 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 Categorical Excluded Subject to Section 58.5.

Preparer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name/Title/Organization: \_\_\_\_\_

Responsible Entity Agency Official Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

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
<b>Flood Insurance</b>	<p>Nevada County participates in the National Flood Insurance Program.</p> <ol style="list-style-type: none"> <li>1. Include a copy of the FEMA Flood Insurance Rate Map (FIRM) for the proposed site.</li> <li>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.</li> </ol>
<b>Contamination and Toxic Substances</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. For homes built prior to 1978:               <ol style="list-style-type: none"> <li>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.</li> <li>b. Homes are tested for the presence of asbestos in areas needing repair, and more broadly, if the home is demolished for reconstruction.</li> </ol> </li> </ol>

Law, Authority, or Factor	Written Strategy
<b>Endangered Species</b>	<ol style="list-style-type: none"> <li>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"> <li>a. The scope of work does not include any native tree removal.</li> <li>b. The scope of work does not have the potential to affect any federally or state-listed species and/or designated critical habitat.</li> <li>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 of 1918 or adjacent to a stream.</li> <li>d. If yes to all, review concluded.</li> </ol> </li> <li>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.</li> <li>3. Consult State and Federal wildlife agencies if needed for determination (e.g. property is adjacent to a stream).</li> </ol>
<b>Floodplain Management</b>	<p>Identify if the proposed site is located in a FEMA SFHA, based upon FEMA FIRM map. If a site is located within a regulatory floodway, construction is prohibited by HUD. If site is within a 100-year floodplain or wetland, the site-specific project must undergo the 8-Step Decision Making Process.</p> <p><u>8-Step Decision Making Process (reference 24 CFR 55.20 for full procedure)</u></p> <ol style="list-style-type: none"> <li>1. Determine whether the proposed action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or results in new construction in a wetland. If the action does not occur in a floodplain or result in</li> </ol>

Law, Authority, or Factor	Written Strategy
	<p>new construction in a wetland, then no further compliance action is required.</p> <ol style="list-style-type: none"> <li>2. Notify the public and agencies responsible for floodplain management or wetlands protection of a proposal and involve the affected and interested public and agencies in the decision making process.</li> <li>3. Identify and evaluate practicable alternatives to locating the proposed action in a 100-year floodplain or wetland.</li> <li>4. Identify and evaluate the potential direct and indirect impacts associated with floodplain or wetland development.</li> <li>5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts to and from the floodplain or wetland and preserve its natural and beneficial functions and values.</li> <li>6. Re-evaluate the alternatives.</li> <li>7. If the re-evaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain or wetland, 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.</li> <li>8. Implement the proposed action and ensure that the mitigating measures identified in Step 7 are implemented.</li> </ol>
<b>Historic Preservation</b>	<p>For potentially historic properties and buildings (45 years old or greater), consultation with the SHPO will be necessary to determine if site is historic and if the undertaking will have adverse effects. The following process will be followed:</p> <ol style="list-style-type: none"> <li>1. HCD will request consultation under Section 106 from the SHPO if any of the following circumstances are encountered:</li> </ol>

Law, Authority, or Factor	Written Strategy
	<ul style="list-style-type: none"> <li>a) A subject property will undergo exterior work and is older than 45 years old;</li> <li>b) A rehabilitation project involves substantial earth moving, such as footing/foundation trenching, utility line excavation, septic tank excavation, or if the possibility exists that such earth disturbance may or will occur on or near an archeological site; or,</li> <li>c) If any activities would be considered new construction, HCD will consult with SHPO on a case by case basis.</li> </ul>
<b>Noise Abatement and Control</b>	<ol style="list-style-type: none"> <li>1. Determine if 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.</li> <li>2. If the proposed site is within those distances, documentation is required showing the noise level is Acceptable (at or below 65 DNL); or</li> <li>3. If within those distances, documentation showing that there is an effective noise barrier; or</li> <li>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.</li> </ol>
<b>Wetlands Protection</b>	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 (see Floodplain Management).
<b>Wild and Scenic Rivers</b>	<ol style="list-style-type: none"> <li>1. Determine if the site is within proximity (generally within a quarter of a mile) to the Wild and Scenic designated Middle and South Yuba River.</li> <li>2. Consult with the appropriate federal agency to determine if the proposed project may have an adverse effect on the natural, cultural, and/or recreational values of Yuba River and, if so, to determine the appropriate avoidance or mitigation measures.</li> </ol>

## REFERENCES

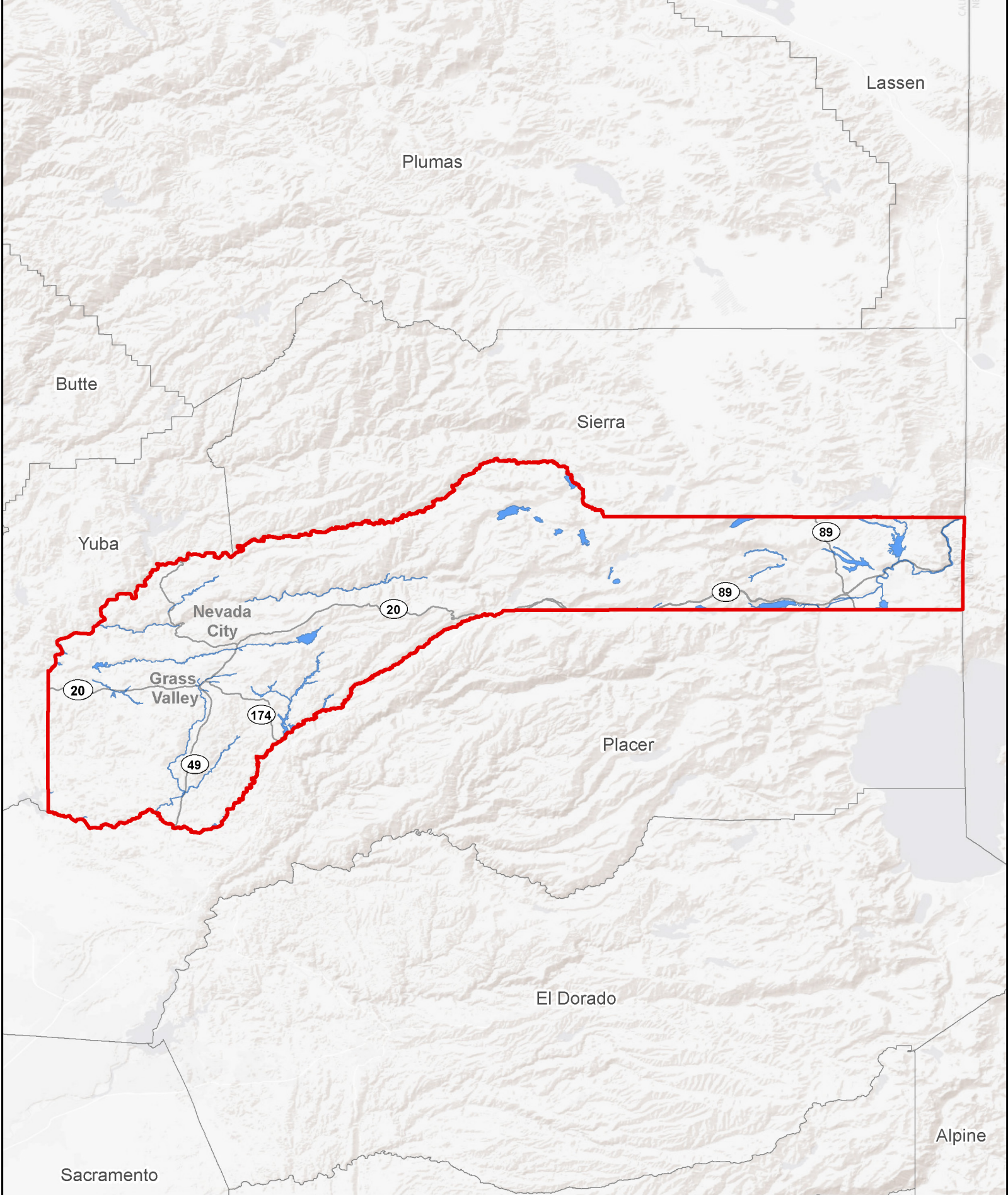
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## Figures

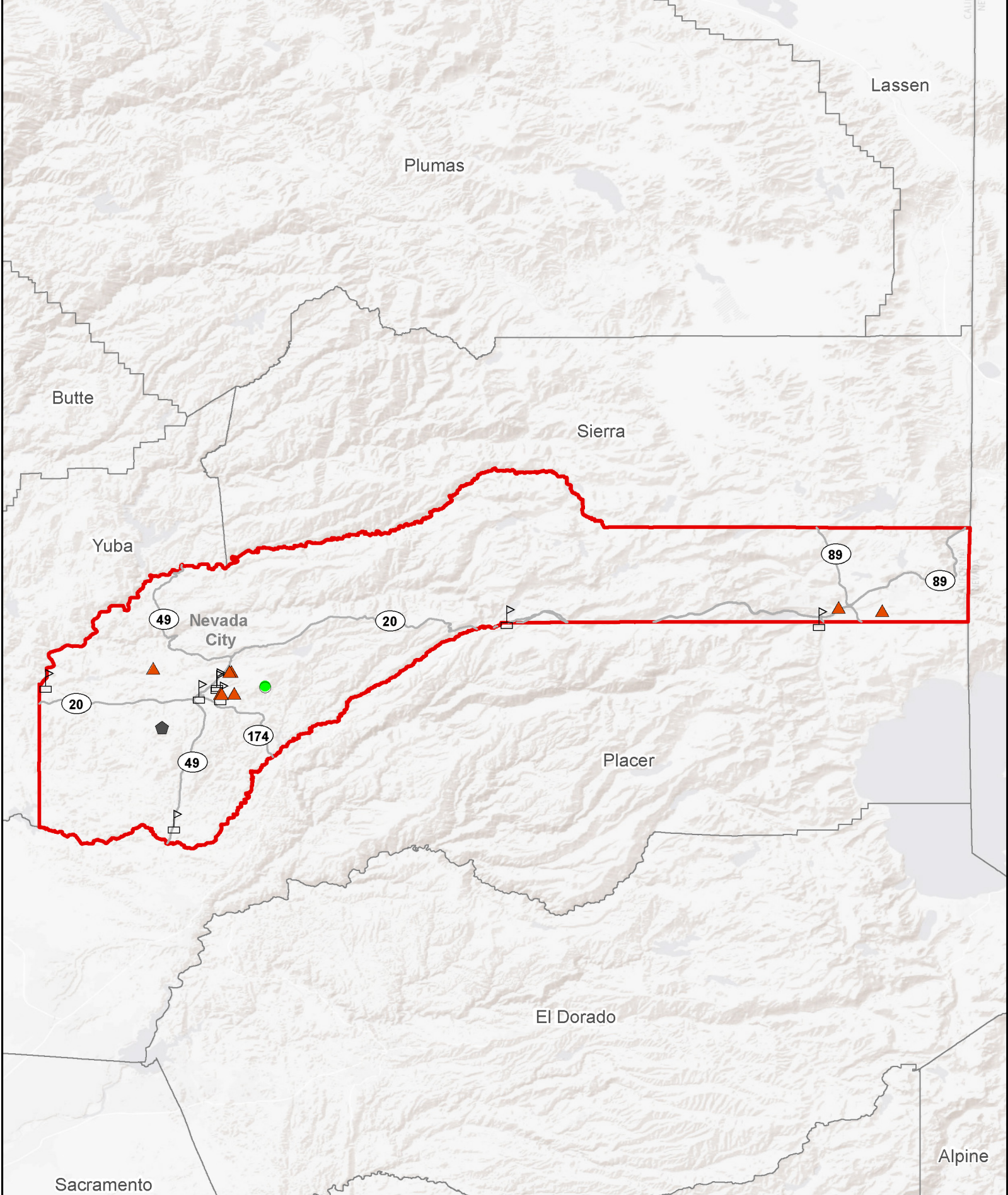
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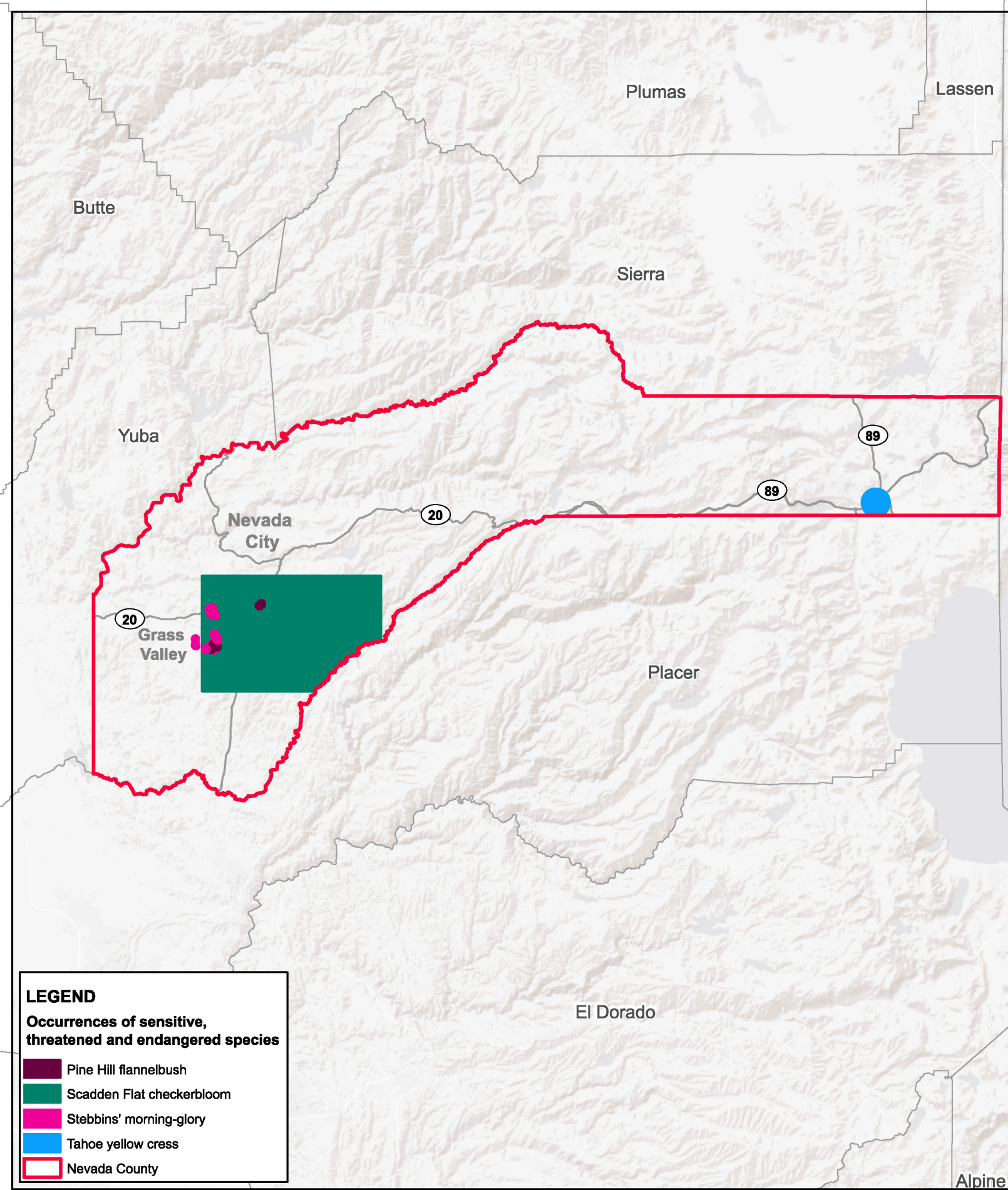




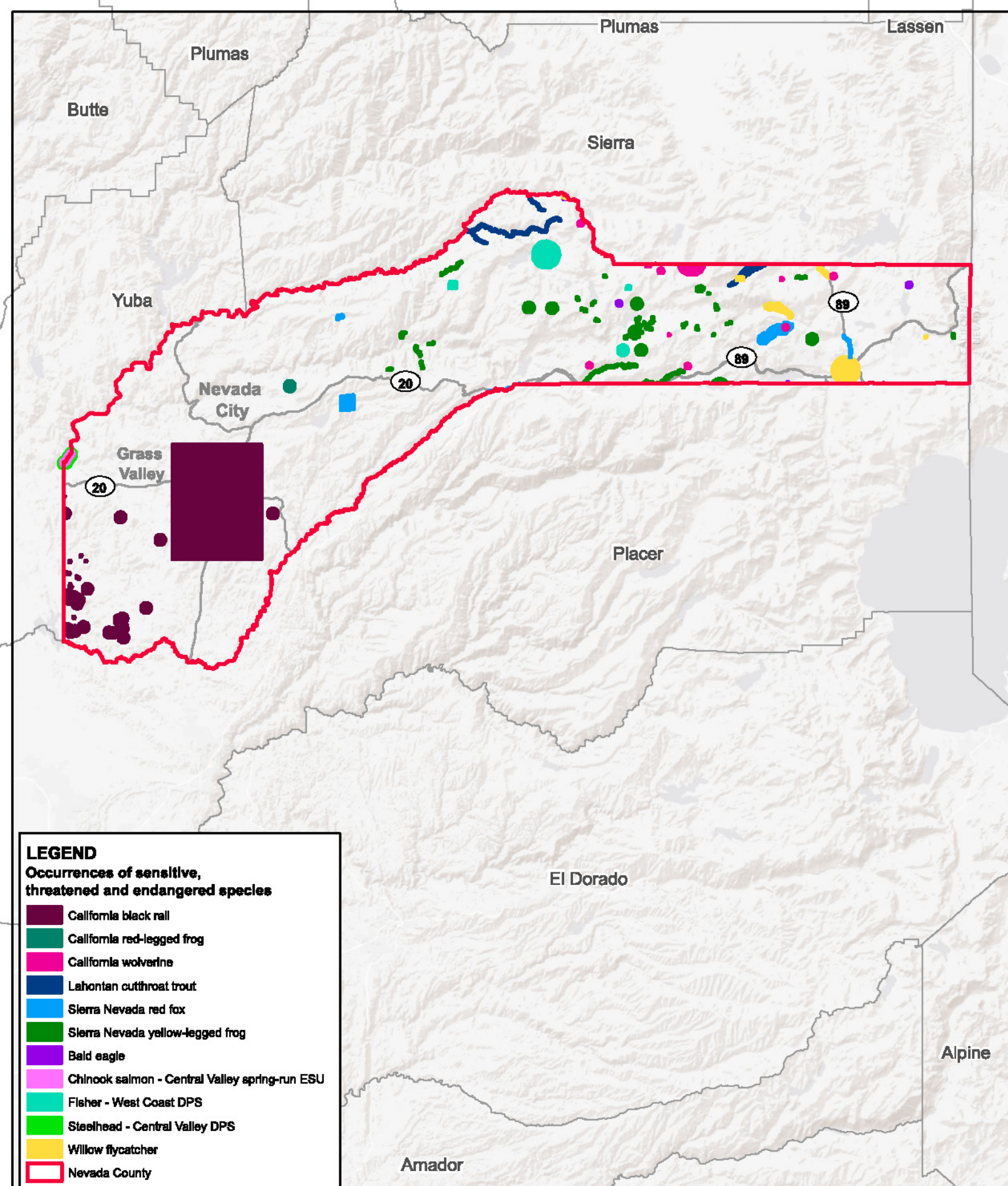


	Tier I Environmental Review Record Nevada County		<b>LEGEND</b>		
	<b>FIGURE 3 HAZARDOUS WASTE SITES</b>		RCRA Large Quantity Generators	Toxic Release Inventory Sites	
	Source: U.S. EPA Facility Registry Service, January 2020		Landfills	Superfund Sites	
			Nevada County		

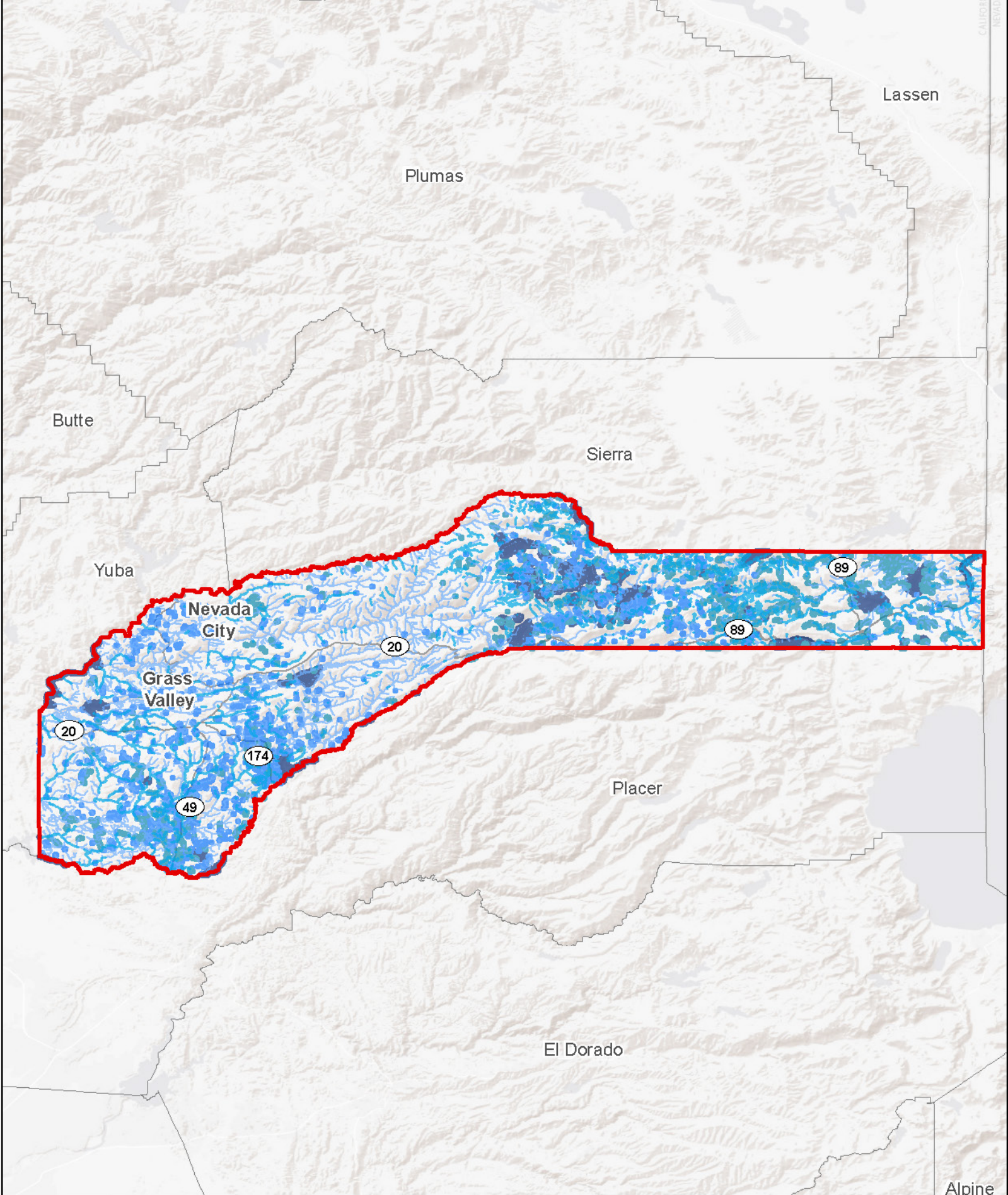




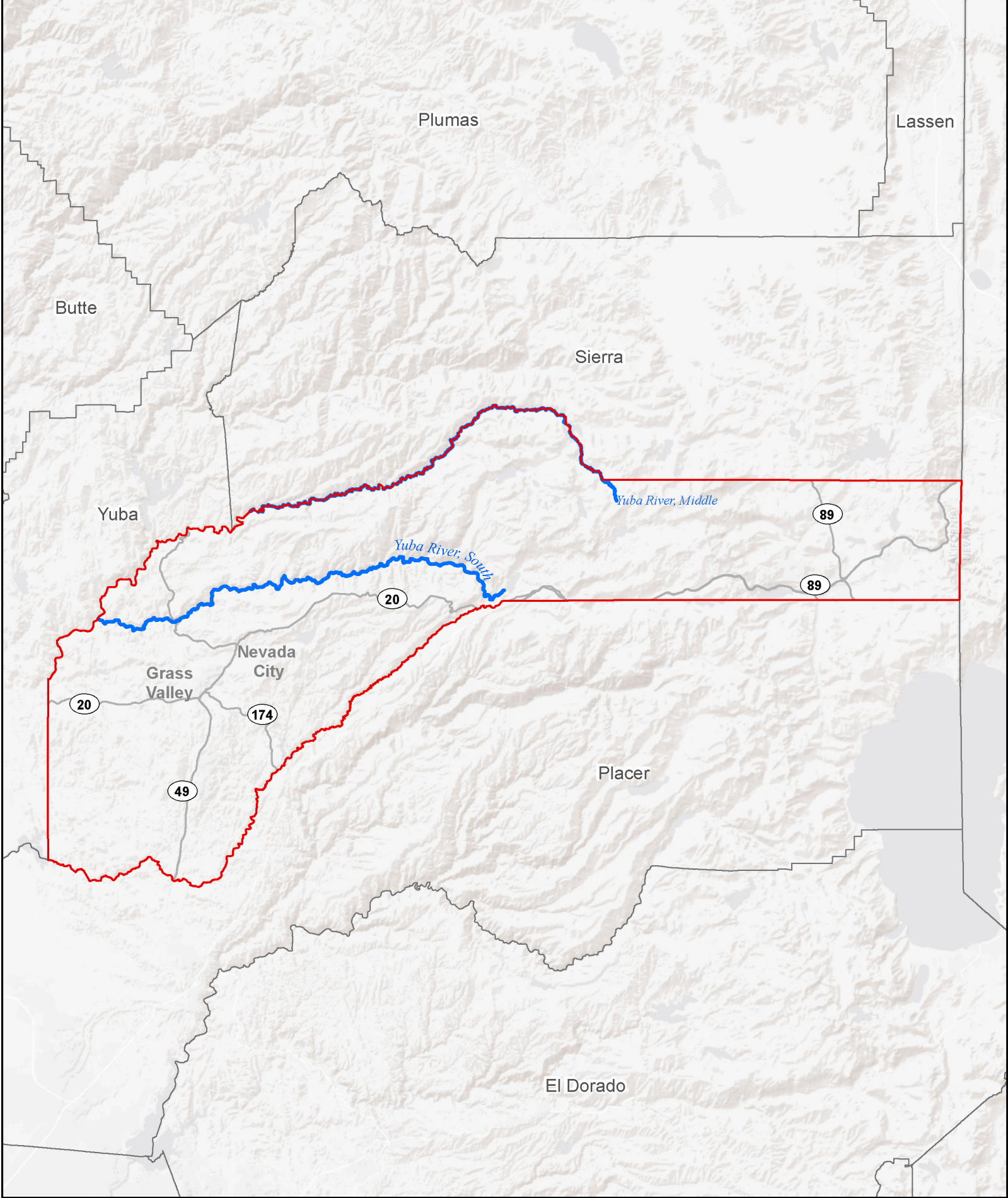












## Attachment 6: Site Specific or Tier 2 Reviews

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## **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]