

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 Recovery 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/Stanslaus National Forest's (USFS) Rim Fire Recovery 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 Recovery 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 of California's NDRC award is funded with Community Development Block Grant-National Disaster Resilience (CDBG-NDR) monies. Funding awarded from HUD 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 recovery strategy, including (1) treatment of biomass material (excess fuels) remaining on site by chipping and removing to a biomass facility and/or (2) by piling and burning excessive fuels on site. The FEIS includes a detailed project description and the project-level and cumulative environmental impacts associated with three Fuel Reduction 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 recovery activities to be carried out under the States' CDBG-NDR award are the same activities reviewed in the USFS Rim Fire Recovery 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 Recovery FEIS will be available starting on May 26, 2017 at <http://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc.shtml#notices>. A paper copy for review or copying, or CD's of the FEIS are available at the Stanislaus National Forest Headquarters, 19777 Greenley Road, Sonora, CA 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 Recovery 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 with "Comments – Adoption of Recovery 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

SUPPLEMENTARY INFORMATION:

Project Description:

The Rim Fire Recovery FEIS was prepared by the USFS to implement fuels reduction within the 2013 Rim Fire, which burned over 250,000 acres. The FEIS analyses 45,000 acres in the Rim Fire burn scar. In 2014 HUD released the NDRC Notice of Funding Availability (NOFA) 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 USFS and other state agencies, submitted a successful funding proposal to HUD, on behalf of the State. The competition focused states' and local jurisdictions' efforts to prepare their communities for the impacts of climate change and to support investments in more resilient infrastructure. CDBG– NDR funding requires compliance with NEPA as stated in HUD's regulations outlined in 24 CFR part 58 and the Council of Environmental Quality (CEQ) NEPA regulations at 40 CFR parts 1500–1508. HUD further outlined the project's environmental review requirements in a Federal Register notice

published on June 7, 2016 (81 FR 36557). HCD, is the Responsible Entity and assumes 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 PUBLIC MEETINGS HELD BY THE USFS IN DEVELOPMENT OF THE RIM FIRE RECOVERY FEIS:

Comment Period: Page 18 of the Recovery EIS:

Public Comment Period (30 days) for the Draft EIS Notice of Availability (DEIS) began with the USFS publication of the Notice of Availability (NOA) in the Federal Register on May 16, 2014 (79 Federal Register 95, May 16, 2014; p. 28508) that asked for public comment on the DEIS. The NOA did not accurately reflect the 30-day comment period alternative arrangements granted by CEQ. The Forest submitted an amended notice to EPA. The revision to the Federal Register (79 Federal Register 100, May 23, 2014; p. 29759-29760) made a correction to reduce the comment period from June 30, 2014 to June 16, 2014 reflecting the President's Council on Environmental Quality (CEQ) alternative arrangement granted in accordance with 40 CFR 1506.11 on December 9, 2013. All comments and responses to comments submitted on the Draft EIS are included in the posted Rim Fire Recovery FEIS in Section F, starting on page 557.

Meetings: Pages 17 through 19 of the Recovery EIS: Between 10/16/2013 and 12/3/2015 the USFS hosted 7 public meetings, 34 tours to the Rim Fire area and 1 Tribal consultation day. The USFS produced materials for social media outlets, including tweets, web features and photo pages and distributed some 60,000 newspaper inserts throughout the region explaining the proposed activities.

FEIS:

The Recovery 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 three Fuel Reduction Alternatives as well as a No Action Alternative. Each of the three Action Alternatives includes almost the identical

amount of acres where biomass/salvage logging and tractor piling were proposed and analyzed. The primary difference between Alternatives 1 and 3 versus Alternative 4 is a reduction of 2,500 acres of treatment area in highly suitable black-backed woodpecker habitat as well as utilizing temporary roads for access to areas versus building new permanent roads. Alternatives 3 and 4 also include several additional treatment units to enhance the Critical Deer Winter Range within the burn area and a Forest Plan Amendment to provide for long-term movement of wildlife from Yosemite National Park through the Stanislaus National Forest. Research was also emphasized under Alternatives 3 and 4, but it is important to note that much of the research was focused on salvage logging and evaluating impacts to spotted owls over the long-term in salvage and unsalvaged areas and can be done or will continue to be done regardless which alternative is chosen for funding under the CDBG-NDR Grant.

INTENT TO REQUEST A RELEASE OF FUNDS

On or about June 27, 2017, 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 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 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.