

**City of Shasta Lake**  
**Environmental Review Procedures**

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The following is the City of Shasta Lake's procedures for completing an Environmental Review Record in compliance with the National Environmental Policy Act (NEPA), specifically for California Development Block Grant – Disaster Recovery (DR) Program activities. The NEPA Environmental Review must be completed, as demonstrated by HCD, before CDBG-DR funds are committed to the project, as required pursuant to 24 CFR 58.22.

**Responsible Entity/Certifying Officer**

For City CDBG-DR funds, the City of Shasta Lake serves as the Responsible Entity. The City of Shasta Lake staff assess each CDBG-DR-assisted project and determine the appropriate level of review. The City's Certifying Officer is the City Manager. This designation was established through a resolution adopted by the Shasta Lake City Council.

**Program Staff/Capacity**

The personnel listed in the Standard Agreement (SA) are the points of contact for day-to-day grant administration and for coordination on environmental review procedures. The City may acquire a contractor to work in collaboration with staff to develop and implement environmental review policies and procedures, in conjunction with technical assistance from HCD.

City staff have extensive experience facilitating HUD and CDBG grants. Staff keep current on HUD processes, utilizing HUD training and internet-based guidance from HUD, including HUD Exchange and reoccurring meetings with the designated program representative. Staff are always seeking opportunities for continuing education regarding HUD and applicable policies.

**Environmental Assessment**

The City requires each project developer/sponsor to hire a consultant to prepare Environmental Assessment (EA) studies and documentation. Based on the project application, the City will determine the level of environmental review required. The City's program staff will review the work of the consultants for completeness and compliance, processes the public noticing required, and prepare the environmental review record for HCD. Subsequent to staff review and acceptance of the environmental findings and mitigation measures, the City's designated

Certifying Officer will certify the completeness of the ERR to HUD, as the Responsible Entity. The environmental review process to be conducted by the City is outlined in Attachment A.

### **Noticing, Objections, and Submission of Documentation**

The City publishes Finding of No Significant Impact (FONSI)/NOI RROF notices in the Record Searchlight, a local newspaper of general circulation within the City of Shasta Lake. The FONSI/NOI RROF is published for fifteen (15) days. Receipt of the RROF by HUD/HCD starts the fifteen-day period during which the public may submit comments to HUD on procedural concerns with the FONSI/NOI RROF. Noticing and public comment periods will be described in the published EA notice. Any individual, group, or agency may submit written comments on the ERR to the City. All comments received by the public comment deadline will be considered by the City prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

If the necessity of mitigations is identified in the development of an ERR, a mitigation plan will be developed. The Mitigation Plan will describe the factor being mitigated, what mitigation measures will be required, and how to document that the mitigation was completed successfully and in full compliance. In this case, the Project Agreement will include conditions regarding the Mitigation Plan. City program staff/consultant will monitor the project construction to ensure compliance with the mitigation measures. Objections on the following bases will be considered:

- a. The certification was not executed by the Certifying Officer of the City
- b. The City 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/State
- 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). As required under the CDBG-DR MHP Policies and Procedures, ERRs and FONSI-RROF documentation will be submitted to HCD for CDBG-DR MHP funded projects.

### **Request for Release of Funds**

On or about at least one day after the end of the comment period, the City will submit a request to HCD for the release of funds in the approved amount, to undertake the proposed project. The NOI RRF will detail any HUD categorical exclusions or published NOI associated with the proposed project activities. An ERR documenting the environmental determination for the project will be available on file with the City for review and may be examined or copied during business hours.

### **Section 106/Historic Preservation Consultation – Native American Tribes**

The City consults with SHPO and, when necessitated, submits findings for the required 30-day review and concurrence period. The City will conduct Section 106 Tribal consultation.

### **Document and Filing ERRs**

The City uses HCD's Grants Network Program Portal online system for documenting and filing its CDBG-DR Environmental Reviews.

### **CDBG-DR Multi Family Housing Environmental Review and California HCD**

The City understands that the Environmental Review Record for projects funded by the CDBG-DR MHP funds will be filed with California HCD rather than HUD. The City will submit the ERR to HCD through its Grants Network portal. HCD will then issue the City an Authority to Use Grant Funds. The City will follow all guidelines and procedures provided by HCD for documenting and submitting the ERR, monitoring of conditions and mitigation measures, if required.

### **Mitigation Monitoring/Reevaluation**

The City shall incorporate any mitigation conditions from the environmental review into the agreement between the City and the developer/sponsor or other party, as appropriate, and shall monitor implementation of the mitigation conditions (if any) during the implementation of the project. Documentation that each mitigation condition is addressed to the City's satisfaction shall be maintained in the project files and supplied to HCD as required. Reevaluation of a project will be necessary under the following circumstances, in accordance with 24 CFR 58.47:

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- a. The recipient proposes substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project
- b. There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project activity which is proposed to be continued
- c. The recipient proposes the selection of an alternative not in the original finding

Attachment A

