

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

May 27, 2022

City of Elk Grove
Development Services – Housing and Loans
8404 Laguna Palms Way
Elk Grove, CA 95758

This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Elk Grove and the U.S. Department of Housing and Urban Development.

REQUEST FOR RELEASE OF FUNDS

On or about **June 13, 2022**, the City of Elk Grove will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974 (Title 42 U.S. Code [U.S.C.] Section 5301 et seq.), as amended, to undertake the Housing Rehabilitation Program (Program) in the City of Elk Grove.

The Program will provide loans, forgivable loans, and/or grants to low-income homeowners within the City of Elk Grove for the purpose of repairing or rehabilitating their homes. Existing single-family homes, duplexes, mobile homes, and individual condominium units will be eligible. The majority of funds will be focused on directly remedying health and safety hazards; limited funding may also be available for general improvements such as painting and flooring. The maximum funding expended over the Program's five-year period (July 2021 through June 2026) will be \$600,000. The maximum loan/grant amount will be \$50,000; although, most loans and all grants will be considerably less than this. The maximum number of housing units repaired is expected to be 36. In addition to modifications to the existing housing units, the repairs may result in minor modifications to the surrounding area; however, repairs will not change contours of the surrounding land nor increase the number of residents or dwelling units.

The total funds provided by the Program is projected to be \$600,000, which would be funded through CDBG funds.

FINDING OF NO SIGNIFICANT IMPACT

The City of Elk Grove has determined that the Program will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act (NEPA) of 1969 is not required. The Rehabilitation Environmental Review (RER) and additional project information is contained in the Environmental Review Record (ERR), on file at the City of Elk Grove, Housing Department, 8401 Laguna Palms Way, Elk Grove, CA 95758 and may be examined or copied weekdays 8 A.M to 5 P.M. For electronic access to the ERR, please visit the City's website at:

<http://www.egplanning.org/environmental>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Sarah Bontrager, Housing and Public Services Manager at the City of Elk Grove, by email at sbontrager@elkgrovecity.org. All comments received by **June 11, 2022** will be considered by the City prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Elk Grove certifies to HUD that Jason Behrmann, City Manager at the City of Elk Grove, in his capacity as Certifying Officer, 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 City of Elk Grove to use CDBG funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to the Responsible Entity's (RE) Request of Release of Funds and Environment Certification for a period of fifteen days following the submission date specified above or the actual receipt of the request (whichever is later) only if they are on the following bases: (a) the certification was not executed by the certifying officer of the RE; (b) the RE has omitted a step or fail to make a determination or finding required by HUD regulation at 24 CFR Part 58 or by CEQ regulation 40 CFR 1500-1508, as applicable; (c) the RE has omitted one or more steps in the preparation, completion or publication of the Environmental Assessment or Environmental Impact Statement per 24 CFR subparts E,F or G of Part 58, as applicable; (d) the grant recipient or other participant in the development process has committed funds for undertaken activities not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; (e) another Federal, State or local agency has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the HUD environmental review office at CPD_COVID-19OEE-SFO@hud.gov. Potential objectors should contact the HUD via email at CPD_COVID-19OEE-SFO@hud.gov to verify the last actual day of the objection period.

Jason Behrmann
City Manager
City of Elk Grove
NEPA Certifying Officer



U.S. Department of Housing and Urban Development
 San Francisco Regional Office - Region IX
 600 Harrison Street
 San Francisco, California 94107-1387
 www.hud.gov
 espanol.hud.gov

Rehabilitation Environmental Review (RER 2014)

(Previous versions are obsolete)

[This **RER** tiered review format [per 24CFR §58.15] may only be used for the environmental review of the **rehabilitation of existing single-family residential structures**, per §58.35(a)(3)(i), with or without the acquisition and/or disposition of the existing structure per §58.35(a)(5). It may also be used for the acquisition/rehabilitation/disposition of individual units in a multi-family structure, but not for the rehabilitation/acquisition/disposition of an entire multi-family building per §58.35(a)(3)(ii), where environmental review using a Statutory Worksheet may be appropriate]. **It may not be used for projects involving changes in use or new construction activities.**

Program, project name, and description: The Housing Rehabilitation Program (the Program) will provide loans, forgivable loans, and/or grants to low-income homeowners within the City of Elk Grove for the purpose of repairing or rehabilitating their homes. Existing single-family homes, duplexes, mobile homes, and individual condominium units will be eligible. The majority of funds will be focused on directly remedying health and safety hazards; limited funding may also be available for general improvements such as painting and flooring. The maximum funding expended over the Program's five-year period (July 2021 through June 2026) will be \$600,000; the maximum loan/grant amount will be \$50,000, although most loans and all grants will be considerably less than this. The maximum number of housing units repaired is expected to be 36. In addition to modifications to the existing housing units, the repairs may result in minor modifications to the surrounding area; however, repairs will not change contours of the surrounding land nor increase the number of residents or dwelling units.

From: July 2021

To: June 2026

Area of Consideration: The Program area encompasses the city limits of Elk Grove, excluding those areas within a Severe Flood Hazard Area (SFHA), in Sacramento County as shown in **Figure 1**.

INSTRUCTIONS for completing the RER (2014)

The Factors addressed in this RER review phase apply to the entire **area of consideration**. Prepare an **RER** form **once for the maximum scope and magnitude of each program** that meets the criteria of rehabilitation/acquisition/disposition at §58.35(a)(3) and (5), and retain it in the Environmental Review Record (**ERR**). A new RER must be completed whenever there is a new Consolidated Plan, Public Housing Plan or changes in the area of consideration or changes in environmental conditions which could affect the program. After completion of the RER, publish or disseminate a Notice of Intent to Request Release of Funds (NOI/RROF), according to §58.70. The **NOI/RROF** shall identify the issues to be addressed in the **site-specific review phase (Appendix A 2012)**. **Do not commit HUD funds to any specific activity before obtaining the Authority to Use Grant Funds** (HUD form 7015.16) for the project **or before successfully completing a site-specific Appendix A 2012**.

Site specific factors listed at Sections 58.5 and 58.6 (including historic preservation, explosive/flammable operations, toxic substances, airport clear zones and flood insurance) shall be addressed by completing an **Appendix A** before approving any specific loans or grants. An **Appendix A** shall be completed and maintained for each site to document compliance with these laws and authorities. Documents supporting compliance as well as the implementation of required mitigation measures shall be maintained in the ERR.

AREA-WIDE FACTORS

Floodplain Management

Is any part of the area of consideration located in a Special Flood Hazard Area (**SFHA**, i.e. area designated "A" or "V" Zone by FEMA or best available information if the area is unmapped)?

() **YES**; complete Part I, Floodplain Management, on the back of this form.

(x) **NO**; provide Source Documentation (FIRM panel number(s) and dates): The Program explicitly excludes residences located in a SFHA within the City. See FIRM panels 06067C0339H, 06067C0315H, 06067C0329H, 06067C0328H, 06067C0319H, 06067C0316H, 06067C0308H, 06067C0475H, 06067C0318H, 06067C0345H, 06067C0333H, 06067C0317H, 06067C0336H, 06067C0309H, 06067C0450H, 06067C0305H, 06067C0335H, 06067C0338H, 06067C0337H, 06077C0050F (effective August 16, 2012 or July 19, 2018).

The entire program is in compliance with Executive Order 11988, Floodplain Management.

Coastal Zone Management

Is any part of the area of consideration within the Coastal Zone according to the California Coastal Commission, Hawaii Coastal Commission, San Francisco Bay Conservation & Development Commission or the Planning Department (for certified Local Coastal Plans)?

() YES; complete Part II, Coastal Zone Management, on the back of this form.

(x) NO: provide Source Documentation: California Coastal Commission.

<https://databasin.org/datasets/ece6ae2d026b43959cfa11cceb2c07ac/> (accessed February 15, 2022).

The entire project is in compliance with Executive Order 11988 and 24 CFR Part 55.

NOTES: Normally, these **laws/authorities listed at 24 CFR 58.5** are not invoked by housing rehabilitation projects: Executive Order 11990 Protection of Wetlands; Endangered Species Act, 16 USC 1531 et seq. as amended, particularly 16 USC 1536, 50 CFR 402; Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271 et. seq., as amended [particularly Sections 7(b) and (c)]; Clean Air Act, 42 U.S.C. 7401 et seq. as amended, particularly section 176(c) and (d), Farmland Protection Act, 7 CFR 658.3(c); Noise Abatement, 24 CFR 51.101(a)(2); Sole Source Aquifers, Memorandum of Agreement between HUD Region IX and U.S. Environmental Protection Agency Region IX, dated 4/30/90, and Executive Order 12898 Environmental Justice. **However, if exceptional circumstances require compliance steps with any of these authorities, such compliance must be established and documented prior to approving the site-specific loan or grant.**

Part I FLOODPLAIN MANAGEMENT

1. Will this program involve the rehabilitation of single-family or multifamily units costing more than 50% of the market value of the structure before rehabilitation **within Special Flood Hazard Areas** (100 yr. floodplain)?

() Yes, proceed to question #2.

(x) No, compliance with Executive Order 11988 is established by program definition.

2. Comply with Executive Order 11988 by completing the 8-step-decision-making process per 24 CFR §55.20, for the entire area of consideration, before approving rehabilitation activities within a SFHA. **KEEP A COPY OF THIS 8-STEP PROCESS (including copies of all published notices) in the ERR.**

3. Did the 8-step process result in a determination that there is no practicable alternative to carrying out the residential rehabilitation/acquisition/disposition activities within the Special Flood Hazard Area (SFHA)?

() Yes; proceed () No; proceed

4. Is the community participating in the National Flood Insurance Program?

() Yes; proceed () No; proceed

5. Select only one of the following choices:

() Either the answer to question #3 or #4 (or to both) is "no", therefore, rehabilitation activities **from this program cannot be approved within a SFHA.**

() Both answers to questions #3 and #4 are "yes", therefore, rehabilitation activities may proceed in SFHA's, subject to the implementation of mitigation measures identified in the 8 Step Process. *

(* NOTE: As an alternative to doing the 8-step process, the responsible entity may choose to revise the boundaries of the area of consideration (target area) to exclude all the Special Flood Hazard Areas (SFHA's). However, properties within the excluded portions would then be ineligible for HUD-assisted rehabilitation loans or grants under this review).

Part II COASTAL ZONE MANAGEMENT

Complete this part if any part of the area of consideration lies within the designated Coastal Zone.

1. Have all rehabilitation activities under this entire rehabilitation program been found to be consistent with the applicable Coastal Zone Management Plan?

() Yes, proceed to next question; (x) No; proceed to next question.

Source Documentation (attach permit or determination of consistency):

In California, the coastal zone extends a maximum of five miles inland depending on the region. The program area is located over 60 miles inland from the Pacific Ocean and is not within a coastal zone.

<https://apps.wildlife.ca.gov/bios/> (accessed April 2022).

a. If question #1 was answered "Yes" and documented, STOP HERE. Compliance with the Coastal Zone Management Act is established.

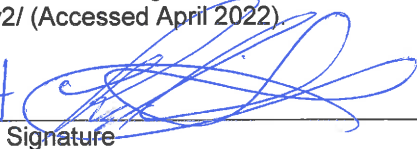
b. If question #1 was answered "No", obtain the coastal zone permit or determination of consistency.

DO NOT APPROVE the loan or grant within the COASTAL ZONE before doing this.

Part III COASTAL BARRIER RESOURCES ACT

There are no designated coastal barrier resources in HUD Region IX.
<https://fwsprimary.wim.usgs.gov/CBRSMapper-v2/> (Accessed April 2022)

Rod Stinson, Vice President



5/24/22

Preparer Name and Title

Signature

Date

Jason Behrmann, City Manager



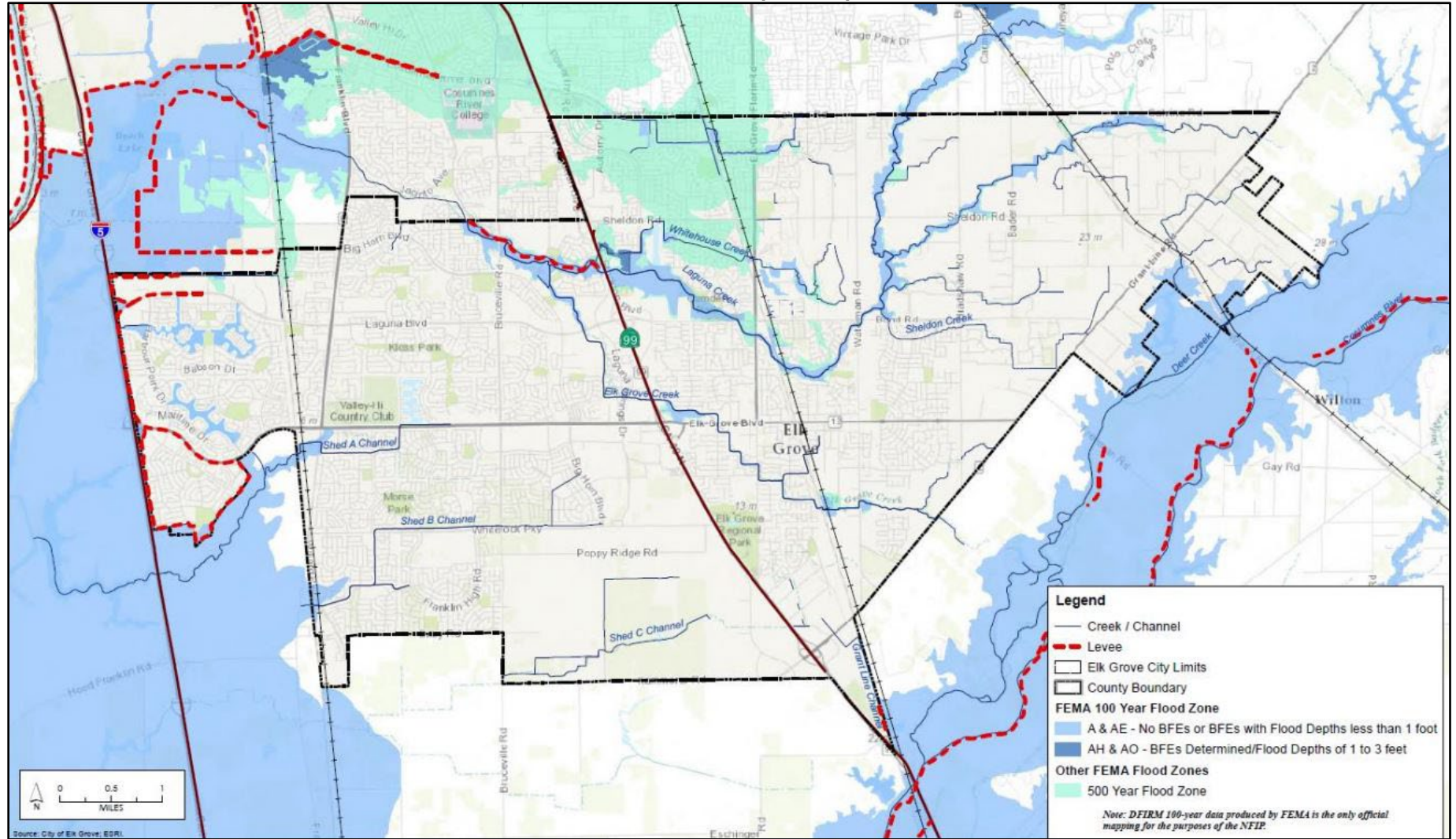
5/25/2022 | 7:31 PM PDT

Responsible Entity, Certifying Officer Name

Signature

Date

**Figure 1
Elk Grove Floodplain Map**



*See FEMA FIRM Map below for FIRM panel numbers and dates.

Environmental Review Record
for the
Elk Grove Rehabilitation Environmental Review

Contents:

Appendix A:	FEMA FIRM Panel Map
Appendix B:	Coastal Zone Management Map
Appendix C:	Coastal Barrier Resources Map
Appendix D:	SHPO Letter of Understanding

APPENDIX A

FEMA FIRM PANEL MAP

FEMA FIRM Panel Map



<p>PIN</p> <ul style="list-style-type: none"> Approximate location based on user input and does not represent an authoritative property location 	<p>MAP PANELS</p> <ul style="list-style-type: none"> Selected FloodMap Boundary Digital Data Available No Digital Data Available Unmapped 	<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) - Zone A, V, A99 With BFE or Depth Regulatory Floodway - Zone AE, AG, AH, VE, AR 	<p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile - Zone X Future Conditions 1% Annual Chance Flood Hazard - Zone X Area with Reduced Flood Risk due to Levee. See Notes, Zone X Area with Flood Risk due to Levee - Zone D 	<p>OTHER FEATURES</p> <ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature 	<p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
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APPENDIX B

COASTAL ZONE MANAGEMENT MAP

APPENDIX C

COASTAL BARRIER RESOURCES MAP

Coastal Barrier Resources Map



APPENDIX D

SHPO LETTER OF UNDERSTANDING

**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000 FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

March 29, 2022

[VIA EMAIL]

Refer to HUD_2022_0302_001

Ms. Sarah Bontrager
Housing & Public Services Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Re: City of Elk Grove HUD Funded Single Family Rehabilitation Program

Dear Ms. Bontrager:

The California State Historic Preservation Office (SHPO) received the consultation submittal for the above referenced undertaking for our review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800. The regulations and advisory materials are located at www.achp.gov.

Your letter informed SHPO that the City of Elk Grove administers a residential rehabilitation program assisted by funds from the U.S. Department of Housing and Urban Development (HUD). SHPO recommends that the City agree to the following Section 106 consultation procedures.

Rehabilitation programs, like all federal undertakings, must comply with Section 106 of the National Historic Preservation Act. The first step in that compliance process is identifying and evaluating all known and potential historic properties within the project area of potential effects (APE). Historic properties are those listed in the National Register of Historic Places and those that meet the National Register eligibility criteria. The identification of historic properties in the project APE helps to ensure that rehabilitation activities follow the Secretary of the Interior's Standards for Rehabilitation. These standards and guidelines allow for the continued use and sensitive alterations to buildings, while respecting existing historic materials and design.

For single-family residential undertakings, SHPO recommends that the City follow the historic preservation compliance procedures explained in the attachment to this letter. The procedures should be self-explanatory. Pay particular attention to Thresholds 1 and 2. These thresholds should limit the volume of projects requiring consultation between our agencies. The procedures state that consultation with the State Historic Preservation Office is only necessary when a property meets the listed age criterion and exterior work is proposed. Please note that the exclusion of interior work from review is only for single-family residences or duplexes, not for larger residential buildings that have interior public spaces, such as lobbies or corridors.

Ma. Bontrager
March 29, 2022
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You do not need to consult with our office for projects involving rehabilitation of mobile homes or trailers.

SHPO requests that you consult with our office if a rehabilitation project involves substantial earth moving, such as footing/foundation trenching, utility line excavation (sewer, water, gas, leach, etc.), sprinklers, or septic tanks, and the possibility exists that such earth disturbance may or will occur on or near an archeological site. In these cases, consultation should occur well in advance of project startup.

For undertakings other than rehabilitation, such as demolition, reconstruction, and new construction, the City needs to consult on a case-by-case basis pursuant to 36 CFR Part 800.

If the City agrees to the suggested process, please have the appropriate individual sign the concurrence block at the bottom of this letter and return a copy to us.

Please do not hesitate to contact Shannon Lauchner Pries, State Historian II, with the Local Government & Environmental Compliance Unit by email at shannon.pries@parks.ca.gov with any questions or comments.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

Enclosures

I concur with the Section 106 compliance process outlined above.

City of Elk Grove



(signature)

City Manger

(title)