

Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds

February 9, 2021

Nevada City
Planning Department
317 Broad Street
Nevada City, CA 95959

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

REQUEST FOR RELEASE OF FUNDS

On or about February 25, 2021, Nevada City will authorize the Central California Housing Corporation and the Regional Housing Authority to submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Project Based Section 8 Vouchers under Section 8(o)(13) of the Housing Act of 1937 (42 U.S.C. § 1437f(o)(13)), as amended, to undertake a project known as the 170 Ridge Road Project (proposed project).

The project site is located at 170 Ridge Road, northeast of the Zion Street and Ridge Road intersection in Nevada City, California, on a parcel historically known as Cashin's Field. The 4.59-acre project site, identified by Assessor's Parcel Number (APN) 005-290-026, is currently undeveloped, and the eastern portion of the site is partially forested.

The proposed project would include development of the project site with up to 55 low-income affordable housing units plus a manager's unit, consisting of 11 one-bedroom, 30 two-bedroom, and 15 three-bedroom units. The units would be organized into six clusters of two- and three-story buildings with eight to ten residences per cluster. Parking would be provided on-site, with 85 spaces in total. Of the 85 spaces, 40 would be tucked under the proposed buildings. In addition, the development would include a community building with managerial/leasing offices, a multi-purpose lounge, kitchenette, and outdoor gathering spaces, including picnic tables, a 3,540-square foot (sf) lawn, and two youth play areas. The proposed units would be developed as affordable housing, with all of the units rent restricted for qualified residents with income ranging from 30 percent to 60 percent of the area medium income.

The total development cost is projected to be approximately \$29,000,000. HUD would fund the project in the form of 20 Project-Based Vouchers (PBVs). For the PBVs, the estimated first-year Section 8 subsidy is approximately \$163,944. The estimated 20-year commitment is approximately \$3,278,880. Other funding sources include \$23,000,000 in tax credit equity, \$4,100,000 permanent loan, \$857,730 from the Regional Housing Authority, and the balance being a deferred developer fee.

FINDING OF NO SIGNIFICANT IMPACT

The following effects of implementation of the proposed project were identified in the Environmental Assessment:

- If not properly mitigated, development of the proposed project could result in an adverse impact related to special-status plants, Townsend's big-eared bat, and other nesting birds and raptors protected by the Migratory Bird Treaty Act (MBTA);
- The possibility exists for previously unknown historic or cultural resources to be encountered during project construction activities;
- Without mitigation, construction noise associated with the proposed project could exceed the City's nighttime noise standards; and
- Without mitigation, impacts related to soil suitability could occur.

Mitigation measures have been identified to eliminate or minimize all adverse environmental effects identified in the Environmental Assessment for the project. Such mitigation measures include, but are not

limited to, the following: conducting a preconstruction survey for nesting birds protected by the MBTA, if construction is to occur during the nesting season; response measures if cultural resources are discovered; and implementation of all recommendations included in the Geotechnical Report prepared for the proposed project. With implementation of all mitigation measures, no significant impact would occur from the project. The Central California Housing Corporation and the Regional Housing Authority have agreed to provide the Certifying Officer with periodic reporting demonstrating compliance with all mitigation measures.

Nevada City has determined that, with implementation of all mitigation measures, the project 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 Environmental Assessment (EA) and additional project information is contained in the Environmental Review Record (ERR), available on the City's website at the following address: <https://nevadacityca.municipalone.com/pview.aspx?id=20900&catid=564>

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Amy Wolfson, Certifying Officer, City Planner, at the Nevada City Planning Department. All comments received by February 24, 2021 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

Nevada City certifies to HUD that Amy Wolfson, City Planner, in her 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 Central California Housing Corporation and the Regional Housing Authority to use Programs 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 40CFR 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 study 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; or (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 in accordance with the required procedures (24 CFR Part 58) and shall be emailed to the HUD grant administration office at RROFSFRO@hud.gov and todd.r.greene@hud.gov. Potential objectors should contact the HUD via email at RROFSFRO@hud.gov and todd.r.greene@hud.gov to verify the last actual day of the objection period.

Amy Wolfson
City Planner for Nevada City and NEPA Certifying Officer
Nevada City Planning Department