

COMBINED PUBLIC NOTICE
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION,
NOTICE OF FINDING OF NO SIGNIFICANT IMPACT,
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS,
and
FINAL NOTICE OF A PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN
for the
TUOLUMNE BIOENERGY WOODY BIOMASS PELLET MANUFACTURING
FACILITY

December 22, 2021

Tuolumne County, Community Development Department
2 South Green Street
Sonora, CA, 95370
209.533.5633

California Department of Housing and Community Development
2020 W. El Camino Ave, Suite 200
Sacramento, CA 95833
916.263.2297

These notices shall satisfy four separate but related procedural requirements for activities to be undertaken by the County of Tuolumne County and California Department of Housing and Community Development.

To: All interested agencies, organizations, and individuals:

INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Tuolumne County is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) for the proposed Tuolumne Bioenergy Woody Biomass Pellet Manufacturing Facility (proposed project). In compliance with CEQA, Tuolumne County has prepared an Initial Study and Mitigated Negative Declaration (IS/MND). The purpose of an IS/MND is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a basic understanding of the proposed project and fully discloses the potential environmental effects associated with the proposed project. The Mitigated Negative Declaration for the project described above has determined that the project will not have a significant effect on the environment and, therefore, an Environmental Impact Report is not required for the project. The project site is not identified on any list enumerated under section 65962.5 of the Government Code.

Project Location: The project site consists of a 3.27-acre leased property comprised of two parcels (Assessor's Parcel Numbers [APNs] 061-150-46 and 061-150-47) in an industrial business park on Camage Avenue approximately 1,600 feet southeast of the intersection of Camage Avenue and Microtronics Way in the community of Sonora, CA. Within a portion of Section 10, Township 1 North, Range 15 East, Mount Diablo Baseline and Meridian and within Supervisorial District 4

Project Description: The proposed project involves the development and operation of a woody biomass pellet manufacturing facility. Project elements would include a 4,000 square foot (sf) manufacturing facility, a 5,000-sf covered outdoor storage area, two 100-foot diameter chip storage silos, outdoor equipment (e.g., dryer, battery, bins, chip receivers, furnace), 10,200 sf of flatwork concrete, 3,300 sf of landscaped area, 3,600 sf of pavement, and a 22,000-sf gravel storage yard.

Significant Impacts: The IS/MND identifies potentially significant impacts in the following environmental issue areas: aesthetics; biological resources; cultural resources; noise; and tribal cultural resources. All impacts would be reduced to less-than-significant levels with the implementation of the mitigation measures set forth in the IS/MND.

PUBLIC COMMENTS ON THE MITIGATED NEGATIVE DECLARATION

Any individual, organization, or agency may submit written comments on the IS/MND to:

Tuolumne County Community Development Department
C/O Natalie Rizzi
2 South Green Street, Sonora, CA, 95370
or
nrizzi@co.tuolumne.ca.us

The Mitigated Negative Declaration and all documents referenced in the Mitigated Negative Declaration for the proposal described above may be viewed on the County's website at: <https://www.tuolumnecounty.ca.gov/821/Environmental-Review-Documents> and may be obtained during regular business hours, Monday through Thursday, 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m., at the following address:

Tuolumne County Community Development Department
A.N. Francisco Building, 4th Floor
48 Yaney Avenue
Sonora, CA 95370

All comments must be received by January 21, 2022. Comments should specify that they are addressing the IS/MND

REQUEST FOR RELEASE OF FUNDS

On or about December 22, 2021 the California Department of Housing and Community Development (HCD) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant National Disaster Resilience (CDBG-NDR) grant funds under Public Law 113-2 of the Disasters Relief Appropriations Act, 2013, (Appropriations Act), as amended to undertake a project known as Tuolumne Bioenergy Woody Biomass Pellet Manufacturing Facility. The proposed project involves the development and operation of a woody biomass pellet manufacturing facility. Structures would include a 4,000 square foot (sf) manufacturing facility, a 5,000-sf covered outdoor storage area, two 100-foot diameter chip storage silos, outdoor equipment (e.g., dryer, battery, bins, chip receivers, furnace), 10,200 sf of flatwork concrete, 3,300 sf of landscaped area, 3,600 sf of pavement, and a 22,000-sf gravel storage yard. This facility would use approximately 44,000 bone dry tons of biomass annually to produce 30,000 tons of wood pellets for domestic home heating purposes. The estimated total project cost is \$12,895,000. The project

site consists of a 3.27-acre leased property comprised of two parcels (Assessor's Parcel Numbers [APNs] 061-150-46 and 061-150-47) in an industrial business park on Camage Avenue approximately 1,600 feet southeast of the intersection of Camage Avenue and Microtronics Way in an industrial business park in Sonora, CA.

FINDING OF NO SIGNIFICANT IMPACT

HCD has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR), which can be accessed at any time on the HCD CDBG-NDR webpage: <https://www.hcd.ca.gov/community-development/disaster-recovery-programs/ndrc.shtml>

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN

HCD has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that the proposed action described above funded by a CDBG-NDR grant in the floodplain will have on the human environment, and practicable alternatives to locating the proposed action in the floodplain.

No adverse significant impacts were identified through the environmental analysis; therefore, HCD did not identify any mitigation measures. However, HCD has considered the following potential alternatives to avoid impacts:

- Locate the project on APN 097-330-007 (Alternative 2)
- Locate the project in the Plum Industrial Park on APN 061-170-007-000 (Alternative 3)
- No Action Alternative

HCD has reevaluated the alternatives to excavating in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This activity will have no significant impact on the environment for the following reasons:

- The project would not locate habitable or other structures or people within the 100-year floodplain.
- The proposed project would not create new impervious surfaces in the floodplain, and new impervious development on the project site would be subject to the provisions of the Tuolumne County grading permit, per regulations in Tuolumne County Code Chapter 12.20; and the provisions of the Storm Water Pollution Prevention Plan required by the Central California Water Quality Control Board for compliance with the National Pollution Discharge Elimination System program.
- Activities within the floodplain would be limited to temporary excavation activities carried out during dry conditions.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas.

Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, organization, or agency may submit written comments on the ERR to HCD Disaster Recovery Branch at NEPAComments@hcd.ca.gov. All comments received by January 6, 2022 will be considered by HCD prior to authorizing submission of a Request for Release of Funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

HCD certifies to HUD that Jessica Hayes in her capacity as Disaster Recovery 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 the Rural Community Assistance Corporation to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the 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 the HCD; (b) the 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 Tennille S. Parker, Director, Disaster Recovery and Special Issues Division, Department of Housing and Urban Development. Due to COVID-19, HUD staff is working remotely so objections should be submitted to Tennille S. Parker electronically at: disaster_recovery@hud.gov. If submitting objections in writing, send to: 451 7th Street SW, Room 7282, Washington, D.C. 20410. Potential objectors should contact HUD at e-mail address listed above to verify receipt of objection and the actual last day of the objection period. Potential objectors should contact HUD to verify the actual last day of the objection period.

Ms. Jessica Hayes, Disaster Recovery Branch Chief
California Department of Housing and Community Development