



**U.S. Department of Housing and Urban Development**  
Community Planning and Development – Region IX  
Office of Environment and Energy  
One Sansome Street, Suite 1200  
San Francisco, CA 94104

February 18, 2021

Kerri Heusler, Housing Manager  
City of Cupertino, Community Development Housing  
Cupertino City Hall  
10300 Torre Avenue  
Cupertino, CA 95014-3202  
[KerriH@cupertino.org](mailto:KerriH@cupertino.org)

**SUBJECT:** Environmental Review Record Monitoring

Dear Ms. Heusler,

In light of the need for safety precautions to stop the spread of COVID-19, HUD's Office of Environment and Energy (OEE) will be conducting remote monitoring of our grantees until further notice. This letter confirms that the remote monitoring of the Environmental Review Records (ERRs) for the City of Cupertino's Community Development Block Grant (CDBG) Entitlement Program will take place beginning March 1<sup>st</sup> and extending to March 11<sup>th</sup>.

Section 104 (e) of the Housing and Community Development Act of 1974 and the regulations at 24 CFR §58.77 require HUD to undertake the reviews needed to determine whether a community carries out its HUD-assisted activities in accordance with appropriate statutes, regulations and the community's certifications. The purpose of the monitoring visit is to determine the level of compliance achieved with the requirements of the National Environmental Policy Act (NEPA), HUD Environmental regulations at 24 CFR Part 58, and other related federal environmental laws and executive orders applicable to these programs. Monitoring also provides HUD with the opportunity to identify achievements and provide technical assistance as appropriate.

In accordance with HUD Guidance, the remote monitoring begins with an interview with staff knowledgeable about office's environmental review procedures to discuss how staff are informed of the need for an environmental review, the names of staff responsible for completing the environmental reviews, the process for determining the level of environmental review, approving funding for a proposed project or activity, and notifying the subrecipient/developer, when applicable, that the environmental review is completed and activities may be undertaken.

Thank you for being available on February 16<sup>th</sup> to briefly discussed how the monitoring will be conducted, key program staff who will assist during the monitoring, the program to be reviewed, the methods for reviewing the necessary records and information for a remote monitoring, and methods of contact to be used during the monitoring.

In order to facilitate the gathering of pertinent documents, at the end of this Notification Letter is a list of HUD-assisted projects / activities selected for monitoring. The documents that I would need, where applicable, to be available electronically are as follows:

- Staff Chart / Organization Chart
- Policies and procedures
- Project application and CDBG commitment letters
- City's resolution reserving CDBG funds for specific projects
- Subrecipient agreements or contracts
- Contracts for construction or agreements for property acquisition
- Notice to Proceed
- Environmental Review Record
  - o Environmental Review
  - o Source documentation including Phase I ESA or special studies
  - o Request for Release of Funds
  - o Authority to Use Grant Funds
  - o Findings of No Significant Impact
  - o All publications
  - o Formal consultation letters and responses
  - o Any comments received during the local comment period and responses to comments
  - o Documentation to support implementation of mitigation measures
  - o Any monitoring of subrecipients

Note: Per our discussion, it is permissible that the City may begin by providing electronically the Environmental Review and then wait for OEE's direction on further documentation required to be made available for the monitoring. For each project activity that utilized the tiered environmental review approach, I will need the Tier 1 Broad-Level review will let you choose two Tier II Site-Specific reviews to be electronically available.

During the monitoring the Department encourages on-going dialogue with staff as to how the monitoring is progressing. This enables me to discuss any problem areas encountered and provides staff the opportunity to make "on-the-spot" adjustments or corrections or to present additional information. This also minimizes the potential for surprises during the exit conference. The Department is also interested in information on any assisted project(s) of your choice, which include(s) successful environmental protection, energy efficiency or sustainability enhancements. On the last day of the monitoring I will hold an exit meeting to discuss the results of the record review.

Finally, feel free to contact me at (415) 489-6668 (office), 408-510-9679 (mobile), or [Stanley.W.Toal@HUD.gov](mailto:Stanley.W.Toal@HUD.gov) if you have any questions about the monitoring or the files requested for review or the monitoring.

Sincerely yours,

Stanley W. Toal  
Environmental Protection Specialist  
Office of Environment and Energy

**City of Cupertino || Remote Monitoring**

<b>IDIS Activity</b>	<b>Program Year/IDIS Project ID/Project Title</b>	<b>Activity Name</b>
<b><u>2020</u></b>	184 2020/3/Homeowner Rehabilitation	Homeowner Rehabilitation - Rebuilding Together Silicon Valley
<b><u>2019</u></b>	143 2019/6/Anjali Transitional House	Anjali Transitional House
	141 2019/4/Housing Repair and Rehabilitation Program	Housing Repair and Rehabilitation Program
<b><u>2018</u></b>	137 2018/5/Vista Village Rehabilitation Project	Vista Village Repair Project
	135 2018/4/Housing Repair and Rehabilitation Program	Rebuilding Together Housing Repair and Rehabilitation Program
	134 2018/3/Senior Adult Day Care	Live Oak Adult Senior Adult Day Care
<b><u>2017</u></b>	131 2017/2/Administration	Administration
	128 2017/6/Vista Village Renovation Project	Vista Village Repair Project
<b><u>2016</u></b>	121 2016/2/City-wide Curb Installation Project	Citywide Curb Ramp Installation
<b><u>2015</u></b>	119 2015/6/Cupertino Housing For The Disabled, Inc. - Le Beaulieu Rehab (Phase II)	Cupertino Housing For The Disabled, Inc. - Le Beaulieu Rehab (Phase II)

Total: 10 Projects / Activities