

Tiered Environmental Review Format

This tiered review format [per 24CFR §58.15] is designed to be used for activities that are categorically excluded [per 24CFR §58.35(a)] subject to the laws and authorities at Part 58.5. Activities in this category include rehabilitation of residential single-family, owner-occupied housing units on scattered sites.

Instructions:

Tier 1 – Complete the Environmental Exemption

- Signed by RE’s Certifying Officer.
- File and send Copy of State.
- Costs can now be obligated or incurred for these non-construction activities.

Tier 2 – Target Area Assessment – Statutory Checklist (More detailed instruction of the process is contained within Chapter 3)

- Define the proposed project and identify the source of project funds.
- Determine the area of consideration- the geographic portion of a City or County from which applications are to be accepted, or projects will be selected. (Must match the area proposed to be served within the CDBG grant application.)
- Within the area of consideration and based on the specific project, consider the Statutes, Executive Orders, and regulations at 24 CFR Part 58 (the broad based review). Document the Statutory Checklist with the determination that any authorities can be excluded from further site-specific review.
- Maintain documentation in the ERR of the laws and authorities that can be excluded from further site-specific review.
- Identify the process that will be used in the site-specific reviews
- Prepare a tiered review form once for each program, and retain it in the Environmental Review Record (ERR). A new Tier 2 Review must be completed whenever there are changes in the area of consideration or changes in the environmental conditions which could affect the program or which may bear on the program’s impact on the environment.
- Upon completion of the form, either: Publish / disseminate the Notice of Intent to Request Release of Funds per §58.70. The NOI / RROF shall identify the significant issues to be addressed in the site-specific reviews. Refer to Exhibit 3N in the 2013 Grant Management Handbook, per §58.15. Do not commit funds to specific projects before obtaining the Release of Funds Form for the program from OBDD-IFA or before completing the site-specific review.

Tier 3 – Site-Specific Assessment

- Complete the site-specific review of each activity prior to committing funds for each specific property.
- Maintain all supporting documents in the ERR file to evidence compliance.

Determination of Categorical Exclusion (subject to Section 58.5)
 Determination of activities per 24 CFR 58.35(a)

Project Names(s) and Grant Northwest Oregon Regional Housing Rehabilitation Program

Number(s): Activity / Project H23007

Description:

1. **The types of rehab activities that are eligible for funding** under the Northwest Oregon Regional Housing Rehabilitation Revolving Loan Program are included in their entirety in the Program Guidelines which were approved by OBDD/IFA on December 19, 2017, specifically work and materials to bring the property into compliance with Section 8 Existing Housing Standards, to correct certain housing conditions endangering the health, safety, or welfare of the occupants, for preservation and restoration of structural integrity, for reasonable accommodation modifications, for improvements to energy efficiency, for repair or restoration of maintenance items or other repairs as deemed necessary and fall under CDBG allowable guidelines.
2. **The approved housing rehabilitation program policies do not allow for “major” rehabilitation**, nor allow for new expansion, non-habitable spaces such as garages, carports or storage sheds unless they affect the structural integrity of the dwelling unit, alteration or expansion of the footprint of a structure located in a federally designated wetland, conversion of land use, acquisition of underdeveloped land, landscaping, or hazardous tree removal.
3. **The cost of repairs** can not exceed 50% of the market value of the structure prior to the home repair work being completed. For the projects that will be stick built homes, the funds will be provided to the homeowners as 0%, 30 year, Deferred Payment Loans (no payments), with \$21,500 being the estimated average loan. The additional projects are covered by the additional \$100,000 Manufactured Homes in Parks traunch of funds, these will be grants, not loans, and averaging around \$17,000 per home.
4. **Number of units to be assisted:** There are an estimated 23 homes which will be assisted with Northwest Oregon Regional Housing Rehabilitation Program Grant #H23007. Of these, 17 will be stick built homes or manufactured homes on private lots, and 6 will be manufactured homes in parks.
5. **Statutory Checklist items identified:** Only minor rehabilitation will be performed in this Housing Rehabilitation Loan Program. No ground disturbance is anticipated; and not allowed in Riparian or Designated Wetland areas. SHPO will be advised on projects where homes might be designated as historic, and THPO for the Confederated Tribes of the Grande Ronde will be advised on all projects. The Site Specific Reviews will be performed on every individual project as they are identified, and will include SHPO/THPO, any local required architectural or preservation input, HUD Environmental Standards of Noise Abatement and Control and Toxic Chemicals and Radioactive Materials; and the Flood Disaster Protection Act. [See Page 2 for additional Project Description]

Estimated activity cost: \$500,000

Funding Source: CDBG HOME Public Housing EDI ICDBG
 NAHASDA Other: _____

- The project falls into the category below, which is listed at 24 CFR 58.35(a) as a Categorically Excluded activity subject to Section 58.5.
- Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are already in place and will be retained in the same use without change in size or capacity for more than 20 percent. Examples:
- Replacement of water or sewer lines
 - Reconstruction of curbs and sidewalks
 - Repaving of streets
- Special projects directed toward the removal of material and architectural barriers that restrict the mobility of and accessibility to the elderly and handicapped persons.
- Rehabilitation of buildings and improvements under the following conditions:
- In the case of a single-family owner-occupied residence, the density is not increased beyond the single unit, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland.
- An individual action:
- Up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
 - A project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
- Acquisition (including leasing) or disposition of an existing structure or acquisition (including leasing) of vacant land provided that the structure or land acquired or disposed of will be retained for the same use.
- Combinations of the above activities

The determination of the category listed above is supported by the following information (explain how you determined that the project satisfied the condition of the category you checked above and document as appropriate):

You must complete the compliance checklist for 24 CFR 58.6 and the Statutory Worksheet on the following pages.

Compliance Checklist for the “Other Requirements” in 24 CFR 58.6
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Project Names: Northwest Oregon Regional Housing Rehabilitation Grant Program

Address: Housing Rehabilitation throughout Clatsop, Columbia & Tillamook Counties, Oregon

Activity / Project Description:

The Columbia County CDBG Project H23007 is a Housing Rehabilitation Revolving Loan Program, which serves low- and very-low income persons throughout all jurisdictions and areas of Clatsop, Columbia and Tillamook counties, Oregon. The program offers to homeowners of stickbuilt or manufactured homes on private property 0% Interest, Deferred Payment Loans (loans which bear Zero interest, no payments are made, and become due and payable if the home is sold, refinanced – or other forms of changes to the Deed, if the home no longer becomes the homeowner's primary residence, or 30 years). Loans are awarded to homeowners of single family stick-built and manufactured homes on private land, who qualify under the Northwest Oregon Regional Housing Rehabilitation Revolving Loan Program Guidelines. Eligible participants will receive these 0% Interest Deferred Payment Loans to assist with rehabilitation repairs to their homes. For homeowners of manufactured homes in parks, their projects will be funded through grants, with no payback or lien provisions.

The individual properties have not yet been determined, so specific property addresses are not included with this Environmental Review; individual Site Specific reviews will be completed after projects have been identified. This program will only do repairs which are within the existing footprint of the home. There may, on occasion, be a ramp installed adjacent to the existing home's footprint which will allow safe access and egress for elderly or disabled persons who live in the home.

The Responsible Entity has concluded that this program provides a positive impact to low and moderate income persons. There will be no disparate or disproportionate negative impact to minority or low and moderate income persons. Minority participation is sought out through outreach and marketing developed by the Certified Non-Profit (Community Action Team), as well as through following the Program Guidelines which have been vetted and approved by Oregon Business Development Department/Infrastructure Finance Authority.

1. The types of rehab activities that are eligible for funding under the Northwest Oregon Regional Housing Rehabilitation Revolving Loan Program are included in their entirety in the Program Guidelines which were approved by OBDD/IFA on December 19, 2017, specifically work and materials to bring the property into compliance with Section 8 Existing Housing Standards, to correct certain housing conditions endangering the health, safety, or welfare of the occupants, for preservation and restoration of structural integrity, for reasonable accommodation modifications, for improvements to energy efficiency, for repair or restoration of maintenance items or other repairs as deemed necessary and fall under CDBG allowable guidelines.
2. The approved housing rehabilitation program policies do not allow for “major” rehabilitation, nor allow for new expansion, non-habitable spaces such as garages, carports or storage sheds unless they affect the structural integrity of the dwelling unit, alteration or expansion of the footprint of a structure located in a federally designated wetland, conversion of land use, acquisition of underdeveloped land, landscaping, or hazardous tree removal.
3. For the projects that will be stick built homes or manufactured homes on private property, the funds will be provided to the homeowners as 0%, 30 year, Deferred Payment Loans (no payments), with \$21,500 being the estimated average loan. The additional projects are covered by the additional \$100,000 Manufactured Homes in Parks tranch of funds, these will be grants, not loans, and averaging around \$17,000 per home.
4. There are an estimated 23 homes which will be assisted with CDBG Housing Rehabilitation Grant #H23007.
5. Only minor rehabilitation will be performed in this Housing Rehabilitation Loan Program. No ground disturbance is anticipated; and not allowed in Riparian or Designated Wetland areas. SHPO will be advised on projects where homes might be designated as historic, and THPO for the Confederated Tribes of the Grande Ronde will be advised on all projects. Any local jurisdictional established architectural or preservation entity will also be contacted as required by regulation. The Site Specific Reviews will be performed on every individual project as they are identified, and will include SHPO/THPO, HUD Environmental Standards of Noise Abatement and Control and Toxic Chemicals and Radioactive Materials; and the Flood Disaster Protection Act.

Estimated activity cost: \$500,000

Funding Source: CDBG HOME Public Housing EDI ICDBG

NAHASDA Other: _____

Section 1. Flood Disaster Protection Act		
Are funds for acquisition (including equipment) or construction (including repair and rehabilitation) purposes?	<input checked="" type="checkbox"/> Yes Continue	No Proceed to Section 2-Act does not apply
Is the Activity in an area identified as having special flood hazards (SFHA)? Identify FEMA flood map used to make this determination:	TO BE DETERMINED ON SITE SPECIFIC BASIS	TO BE DETERMINED ON SITE SPECIFIC BASIS
Community Name and Number		
Map panel number and date		
This section will be documented on a case-by-case basis with an individual determination.		
Is the Community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?	<input checked="" type="checkbox"/> Document and follow instructions below.	No-Federal Assistance may not be used for this project.
Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file.		

Section 2. Airport Runway Clear Zones (Civil) and Accident Potential Zones (Military)		
Does the project involve HUD assistance, subsidy or insurance for the purchase or sale of an existing property?	Yes Continue	<input checked="" type="checkbox"/> No Proceed to Section 3-regulation does not apply.
Is the project located within 2,500 feet of a civil airport or 15,000 feet of a military airfield?	Yes Continue	<input checked="" type="checkbox"/> No Document and proceed to Section 3-regulation does not apply.
Is the project located within an FAA-designated civilian airport Runway Clear Zone (RCA) or Runway Protection Zone, or within the military Airfield Clear Zone (CZ) or Accident Potential Zone / Approach Protection Zone (APZ), based upon information from the airport or military airfield administrator identifying the boundaries of such zones?	Yes Continue	<input checked="" type="checkbox"/> No Document and proceed to Section 3-regulation does not apply.
<p>Comply with 24 CFR Part 51, Subpart D. This may include providing a written notice to a prospective buyer or leaser of the potential hazards from airplane accidents and the potential that an airfield operator may wish to purchase the property. Maintain copies of the signed notice. For properties located in a military clear zone, make and document a determination of whether the use of the property is consistent with DOD guidelines. Notice Sample: www.hudexchange.info/resource/2758/notice-prospective-buyers-properties-in-runway-clear-zones</p>		

Section 3. Coastal Barrier Resources Act

Section 58.6 also requires compliance with the Coastal Barrier Resources Act. There are no Coastal Barrier Resource Areas in Oregon. Therefore, the Act does not apply.

TIER 1 – OVERALL PROGRAM REVIEW
Target Area Assessment

Program name and description:

**Northwest Oregon Regional Housing Rehabilitation Revolving Loan Program,
(covering Clatsop, Columbia and Tillamook County, Oregon) Housing
Rehabilitation Program**

Activity / Project Description:

1. The types of rehab activities that are eligible for funding under the Northwest Oregon Regional Housing Rehabilitation Revolving Loan Program are included in their entirety in the Program Guidelines which were approved by OBDD/IFA on December 19, 2017, specifically work and materials to bring the property into compliance with Section 8 Existing Housing Standards, to correct certain housing conditions endangering the health, safety, or welfare of the occupants, for preservation and restoration of structural integrity, for reasonable accommodation modifications, for improvements to energy efficiency, for repair or restoration of maintenance items or other repairs as deemed necessary and fall under CDBG allowable guidelines.
2. The approved housing rehabilitation program policies do not allow for “major” rehabilitation, nor allow for new expansion, non-habitable spaces such as garages, carports or storage sheds unless they affect the structural integrity of the dwelling unit, alteration or expansion of the footprint of a structure located in a federally designated wetland, conversion of land use, acquisition of underdeveloped land, landscaping, or hazardous tree removal.
3. For the projects that will be stick built homes or manufactured homes on private property, the funds will be provided to the homeowners as 0%, 30 year, Deferred Payment Loans (no payments), with \$21,500 being the estimated average loan. The additional projects are covered by the additional \$100,000 Manufactured Homes in Parks tranch of funds, these will be grants, not loans, and averaging around \$17,000 per home.
4. There are an estimated 23 homes which will be assisted with CDBG Housing Rehabilitation Grant #H23007.
5. Only minor rehabilitation will be performed in this Housing Rehabilitation Loan Program. No ground disturbance is anticipated; and not allowed in Riparian or Designated Wetland areas. SHPO will be advised on projects where homes might be designated as historic, and THPO for the Confederated Tribes of the Grande Ronde will be advised on all projects. Any local jurisdictional established architectural or preservation entity will also be contacted as required by regulation. The Site Specific Reviews will be performed on every individual project as they are identified, and will include SHPO/THPO, HUD Environmental Standards of Noise Abatement and Control and Toxic Chemicals and Radioactive Materials; and the Flood Disaster Protection Act.

Definition of Area of Consideration (the geographic area where loans or grants applications will be accepted or funds will be allocated for this program): Attach a composite map showing area of consideration and floodplains.

Applications will be accepted within all of the Cities, Jurisdictions, Incorporated and Unincorporated areas throughout the Counties of Columbia, Clatsop and Tillamook’s boundaries (see attached map).

STATUTORY WORKSHEET
Use this worksheet only as part of a Tiered Review

Compliance documentation must contain verifiable source documents and relevant base data.

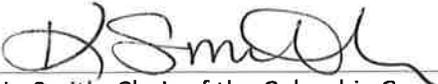
HUD Environmental Standards	Status A/B	Determination and Compliance Documentation
<p>Historic Preservation [36 CFR Part 800]</p>	<p><input type="checkbox"/> B B</p>	<p>If the housing rehabilitation program allows the alteration, repair or rehabilitation of historic properties, this review must be completed on the site-specific (Tier 2) review, on a case-by-case basis, and a “B” designation will be noted.</p> <p>The ER must also include the required THPO contact documentation. Refer to page 3-25 and 3-31 to 3-34 of the 2024 GMH.</p>
<p>Floodplain Management [24 CFR 55, Executive Order 11988]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the housing rehabilitation program does not provide “substantial (major) rehabilitation” (i.e. rehabilitation of single-family units exceeding 50% of the market value of the structure before rehabilitation) the program can be found exempt from the floodplain requirements in compliance with Executive Order 11988.</p> <p>If the housing rehabilitation program DOES provide “substantial (major) rehabilitation” (i.e. rehabilitation of single-family units exceeding 50% of the market value of the structure before rehabilitation) and the area to be served by the HR project includes a floodplain, the 8-step process must be completed and included with the ER. Refer to pages 3-34 to 3-35 and Exhibit 3 “O” of the 2024 GMH.</p> <p>Under either circumstance above, an “A” designation can be achieved and the relevant information must be included in the “project description” or attached to the ERR.</p>
<p>Wetland Protection [Executive Order 11990]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the area to be served by the HR project includes a federally designated wetland the required 8-step process must be completed and included in the ERR. However, if the written HR program policies do not allow the alteration or expansion of the footprint of ANY existing structure located in the wetland the recipient may not need to complete all 8-steps of the process. This must be documented in the ER.</p> <p>An “A” designation can be achieved and the relevant information must be included in the “project description” or attached to the ERR.</p>
<p>Coastal Zone Management Act [Sections 307(c), (d)]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the housing rehabilitation program ONLY provides “minor rehabilitation” (i.e. rehabilitation of single-family units not exceeding 50% of the market value of the structure before rehabilitation) the program as a whole can be found to be in compliance with the Coastal Zone Management Act.</p> <p>An “A” designation can be achieved and the relevant information must be included in the “project description” or attached to the ERR.</p>

HUD Environmental Standards	Status A/B	Determination and Compliance Documentation
<p>Sole Source Aquifers [40 CFR 149]</p>	<p><input checked="" type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the entire area to be served by the HR program does not contain a sole-source aquifer, compliance with this requirement can be achieved on an area-wide basis. Under this circumstance, an “A” designation can be achieved.</p> <p>If the area to be served by the HR program DOES contain a sole-source aquifer and the written HR program policies DO NOT allow funding of septic tanks or private domestic wells compliance with this requirement can be achieved on an area-wide basis. Under this circumstance, an “A” designation can be achieved.</p> <p>If the area to be served by the HR program DOES contain a sole-source aquifer and the written HR program policies DO allow funding of septic tanks or private domestic wells, and the Responsible Entity makes a determination that the project will not affect Sole-Source Aquifer quality an “A” designation can be achieved.</p> <p>If the area to be served by the HR program DOES contain a sole-source aquifer and the written HR program policies DO allow funding of septic tanks or private domestic wells, a the Responsible Entity cannot make a determination that the project will have no affect on the Sole-Source Aquifer quality a “B” designation must be noted and compliance with this requirement must be completed on the site-specific (Tier 2) review, on a case-by-case basis.</p> <p>All the relevant information must be included in the “project description” or attached to the ERR.</p>
<p>Endangered Species Act [50 CFR 402]</p>	<p><input checked="" type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>This requirement generally applies to new construction, conversion of land use, major rehabilitation of existing buildings and the acquisition of undeveloped land. Most housing rehabilitation projects should not have an impact to sensitive species, unless landscaping or hazardous tree removal et cetera, is located in a defined riparian zone.</p> <p>If the area to be served by the HR program does not contain (have No Effect) any listed or proposed species and designated or proposed critical habitat (documented by ODFW) and the written HR program policies ONLY allow minor housing rehabilitation and do not allow CDBG funds to be used for new construction, conversion of land use, major rehabilitation or the acquisition of undeveloped land, landscaping or hazardous tree removal and <u>none</u> of the assisted properties will be located in a riparian zone, compliance with the requirement can be achieved and an “A” designation can be obtained and consultation with the USFWS and/or NOAA Fisheries will not be required. Attach the “No Effect” checklist to the ERR.</p> <p>If the housing rehabilitation program cannot meet the above criteria compliance with this requirement must be based on the site-specific (Tier 2) review, on a case-by-case basis. Under these circumstances a “B” designation must be made.</p> <p>All the relevant information must be included in the “project description” or attached to the ERR.</p>

HUD Environmental Standards	Status A/B	Determination and Compliance Documentation
<p>Wild and Scenic Rivers Act [Sections 7(b), and (c)]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>All HUD funded projects are subject to these requirements. The environmental review must evaluate the potential for impact to any listed Wild and Scenic River when the housing rehabilitation program service area contains a Wild and Scenic River. This must be documented within the ER, provide a list of all the Wild and Scenic Rivers within the area to be served by the HR program.</p> <p>If the housing rehabilitation program only offers “minor rehabilitation” (i.e. rehabilitation of single-family units not exceeding 50% of the market value of the structure before rehabilitation) the program as a whole can be found to be in compliance with the Wild and Scenic Rivers Act. An “A” designation can be achieved.</p>
<p>Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>Check the current DEQ listed non-attainment areas. If the funded housing rehabilitation program service area includes any of these areas, this review and determination must be made for the program as a whole. An “A” designation should be able to be achieved.</p> <p>If the area to be served by HR program does not contain a non-containment area, compliance with the requirement can be made on an area-wide basis, and an “A” designation can be achieved.</p> <p>Attach the written documentation to support the conclusion to ER.</p>
<p>Farmland Protection Policy Act [7 CFR 658]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the housing rehabilitation program does not convert farmland to nonagricultural purposes the program can be found to be in compliance with the Farmland Protection Act, and an “A” designation should be able to be achieved. Include information regarding compliance in either the “Project Description” or attach it to the ERR.</p>
<p>Environmental Justice [Executive Order 12898]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>This regulation ensures that the environment and human health are fairly protected for all people regardless of race, color, national origin or income (minority populations and low-income populations). Generally this Order applies to low-income or minority neighborhoods where the project contains acquisition of existing housing, acquisition of land for development and new construction.</p> <p>If the written CDBG funded housing rehabilitation program policies identify that acquisition of existing housing, acquisition of land for development and new construction are not eligible for assistance under the program and the Responsible Entity determines that since the project is for rehabilitation of existing units and that LMI participants reside in the units therefore there will be no disproportionate impact to minority or low- and moderate-income persons. This conclusion must be supported within the “Project Description”. Under this circumstance an “A” designation can be achieved.</p>

HUD Environmental Standards	Status A/B	Determination and Compliance Documentation
<p>Noise Abatement and Control [24 CFR 51B]</p>	<p><input checked="" type="checkbox"/> B B</p>	<p>Housing is considered a noise sensitive use, so if the housing rehabilitation program allows for the modernization of housing units (rehabilitation is considered modernization) and the assisted housing unit is located near a potential noise source (rail road, highway, airport, industry, construction site et cetera) this review must be completed.</p> <p>Since the exact location of the specific housing units to be assisted with this HR project are not identified, compliance with this requirement must be determined on the site-specific (Tier 2) review, on a case-by-case basis and a “B” designation will be noted.</p>
<p>Explosive and Flammable Operations [24 CFR 51C]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>For explosive and flammable operations, housing rehabilitation of owner-occupied single-family residential units is not considered to increase residential densities, convert a building for habitation or make a vacant building habitable. Provide a copy of the CDBG HR program policies that restricts the use of CDBG funds to only owner-occupied single-family residential units. Compliance with this requirement can be achieved on an area-wide basis and an “A” designation can be achieved.</p> <p>Provide information to support this conclusion with the “Project Description”.</p>
<p>Toxic Chemicals and Radioactive Materials [HUD Notice 79-33]</p>	<p><input checked="" type="checkbox"/> B B</p>	<p>If the specific housing rehabilitation unit to be assisted under the HR program has hazardous materials located on or within the property (residential heating oil tanks et cetera) contamination, toxic chemicals and gasses (residential propane tanks) and radioactive substances or will be located near (EPA superfund site, landfill, brownfield, underground storage tank clean-up et cetera) this review must be completed on the site-specific (Tier 2) review, on a case-by-case basis, and a “B” designation must be noted.</p>
<p>Airport Clear Zones and Accident Potential Zones [24 CFR 51D]</p>	<p><input type="checkbox"/> A A <input type="checkbox"/> B</p>	<p>If the written housing rehabilitation program policies prohibit major rehabilitation and only minor rehabilitation is allowed compliance with this requirement can be obtained with an area-wide review, and an “A” designation can be achieved.</p> <p>However, if the housing units to be assisted with CDBG funds could be located within 2,500 feet of a civil primary and/or commercial airfield, or 15,000 feet of a military airfield <u>and</u> the HR program allows major rehabilitation, this review must be completed on the site-specific (Tier 2) review, on a case-by-case basis, and a “B” designation must be noted.</p>
<p>Flood Disaster Protection Act</p>	<p><input checked="" type="checkbox"/> B B</p>	<p>If a housing unit to be assisted is located within a 100-year flood plain, which will be documented with a FEMA map panel number and date, the Responsible Entity will ensure that the homeowner has proof of flood insurance before improvements are made to the housing unit. This determination must occur on a case-by-case basis in the Tier 2 site-specific review. A “B” designation must be noted.</p>

HUD Environmental Standards	Status A/B	Determination and Compliance Documentation
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> A <input type="checkbox"/> B	There are no Coastal Barrier Resource Areas in Oregon. Therefore, the Act does not apply and an "A" designation can be noted.

Responsible Entity's Certifying Officer Signature	
Certifying Officer Name and Title	Kellie Jo Smith, Chair of the Columbia County Board of Commissioners
Date	June 12, 2025

To be used for each individual project for H23007; attached for reference only

TIER 2 – SITE-SPECIFIC REVIEW PROCESS AND FORM
Policies and Procedures for Site-Specific Environmental Reviews

Columbia County has made the following decisions pertaining to future site-specific environmental review projects:

NOTE: If the Tier 1 checklist identifies an “A” designation for any environmental standard (specialized topic area) and those standards are identified below, those standards can be deleted. If the Tier 1, checklist identifies a “B” designation for any environmental standard (specialized topic area), that environmental standard must be included in the review procedures / policy for the site-specific Tier 2 reviews, below:

HISTORIC PROPERTIES

Projects will be evaluated on a case-by-case basis. For all projects older than 49 years, the City / County will consult with SHPO to determine if the unit is national register eligible or on the national register. **Columbia County** will consider SHPO comments and comply with part 36 CFR Part 800 prior to approving any loan or grant under this program.

NOISE

Projects will be evaluated on a case-by-case basis. Projects located within 1,000 feet of a major highway or roadway, 3,000 feet of a railroad, 5 miles of a civilian airport, or 15 miles of a military airfield, or in proximity to other significant noise sources (such as manufacturing facilities) are in noise exposed areas and will require further review. For these projects, noise attenuation measures will be included, to the extent feasible, as part of the rehab.

TOXIC CHEMICALS AND RADIOACTIVE MATERIALS

Projects will be evaluated on a case-by-case basis. If it is determined there are hazards that could affect the health and safety of occupants, **Columbia County** has determined that mitigation of the affected adverse environmental conditions by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate federal, state or local oversight agency will occur, or the project will not be funded.

FLOOD DISASTER PROTECTION ACT

Projects will be evaluated on a case-by-case basis. It must be determined whether a project is in a 100-year floodplain and source documentation identified by FEMA map panel number and date must be in the file. If a project is located in a 100-year floodplain, evidence must be provided that the homeowner has flood insurance. The **County** will not provide substantial improvement to homes located in the 100 year flood zone.

Project cannot proceed prior to **Columbia County’s** notification that environmental review is complete (ROF issued by OBBD-IFA and the site-specific review has been signed by the Responsible Entity’s Certifying Officer).

Building Address:

Market Value of House: _____

Estimated Cost of Rehabilitation: _____

Rehabilitation will expand footprint of house: Yes No

HISTORIC PRESERVATION

1. The unit is less than 49 years old and does not include ground disturbance
 - Yes: STOP here. The Section 106 Historic Preservation review is complete.
 - Provide documentation to show the age of the building and confirmation that there is no ground disturbance. City determines no historic properties affected.
 - No: PROCEED to #2
2. Consult the State Historic Preservation Officer (SHPO) to determine if project is on or eligible for the National Historic Register. Notify City of ground disturbance and City will contact Tribes. Check determination:
 - No Historic Properties Affected
 - Provide letter documenting concurrence of determination from SHPO
 - Provide documentation indicating Tribe was contacted and response or documentation showing that there is no ground disturbance
 - No Historic Properties Adversely Affected
 - Provide letter documenting concurrence of determination from SHPO
 - Provide conditions that will be placed on projectCondition(s):
 - Adverse Effect on Historic Properties (City will make determination with SHPO)
 - Provide letter documenting concurrence of determination from SHPO
 - Provide Memorandum of AgreementCondition(s):

NOISE:

1. Is the project located within 1,000 feet of a busy road or highway, 3,000 feet of a railroad, or 15 miles of a civil airport or military airfield? Are there any other potential noise sources in the project vicinity that could produce a noise level above HUD’s acceptable range, including but not limited to concert halls, night clubs, event facilities, et cetera?

- No: STOP here. Maintain a map identifying distances from roads, railroads and airports and your project. Record your determination. You do not need to calculate a specific noise level.
- Yes: PROCEED to #2

2. Determine the actions to take based on the project and HUD Acceptability Standards. For Modernization projects a noise calculation is not required. HUD or RE determines need based on their evaluation of project. Proceed to #3 below.

HUD General Acceptability Standards	
HUD determination	Day night average sound level in decibels (dB)
Acceptable	Not exceeding 65 dB
Normally Unacceptable	Above 65 dB but not exceeding 75dB
Unacceptable	Above 75 dB +

3. Is the Day-Night average sound level above an acceptable level (based on noise calculation or your analysis of the site using maps or a site visit)?

- Yes. Encourage noise attenuation features in alterations. Record your determination in the ERR. Identify how you are encouraging noise attenuation
- No. Record your determination in the ERR

TOXIC / HAZARDOUS / RADIOACTIVE MATERIALS, CONTAMINATION, CHEMICALS OR GASES (24 CFR 58.5(l)(2):

1. Is the property free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants? (Special consideration should be given to properties that are located near toxic or solid waste landfill sites, underground storage tanks, or other areas known to contain toxic, hazardous, or radioactive substances.)

- Yes. Stop here.
 - Provide documentation to evidence determination including inspection reports, pictures, and information from www.epa.gov or similar sites.
- No. However the project will be conditioned on measures to mitigate the adverse environmental condition (e.g. shielding, removing or encapsulating the toxic substances) according to the requirements of the appropriate Federal, state or local oversight agency.
 - Provide documentation to show mitigation will address adverse environmental condition.
 - Provide condition(s) that will be placed on project:

Condition(s):

- No. Project cannot be mitigated. PROJECT MUST BE REJECTED.

FLOOD INSURANCE

Is the project located in a FEMA designated floodway? (Repairs can be funded in floodplains, just not in floodways.) You can obtain FEMA FIRM (Flood Insurance Rate Maps) at www.fema.gov

Yes. Stop here. Federal financial assistance cannot be used in a floodway. Project activity is not eligible.

No. Provide FIRM map and FIRM map panel number: _____
Continue

Is the project located in a FEMA designated 100 year floodplain? Visit this site for FIRM Maps: www.fema.gov

Yes. Project will have to maintain flood insurance on the property

Provide FIRM map and FIRM map panel number:

 Attach copy of flood insurance declaration or condition project

Determination:

This project does not require any mitigation for compliance with any statutes or authorities. This project may now be initiated; OR

Approval of this project is conditioned on the following mitigation measures: These conditions must be included in project contracts or other legally binding documents. The project may be initiated subject to compliance with the conditions:

Conditions:

The project does not comply with the following policy and will not be funded:

Responsible Entity's Certifying Officer Signature	
Certifying Officer Name and Title	
Date	

Historic Preservation (CEST and EA)

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties"
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

Threshold

Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the [PA Database](#) to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ Continue to the Worksheet Summary.

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

→ Continue to the Worksheet Summary.

Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

Select all consulting parties below (check all that apply):

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

Confederated Tribes of the Siletz Reservation
Confederated Tribes of the Grand Ronde Community of Oregon
Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation
Confederated Tribes of the Warm Springs Reservation of Oregon
Cowlitz Indian Tribe

No comments or responses were received from any of the tribes to the County.

Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:

Describe the process of selecting consulting parties and initiating consultation here:

The county identified which tribes which have interest in the three counties served by H23007 Housing Rehabilitation Program and sent letters to the various representatives of those tribes, including the tribe leaders and Tribal Historic Preservation Office or Officer if there was one. Letters were sent to all identified persons and tribes, with significant time allowed for response and comment. None were received.

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process including SHPO & THPO will be done on each home to have housing rehabilitation completed. The tribes will be provided opportunity to evaluate the scope of work and project to be completed to insure their approval.

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process including SHPO & THPO will be done on each home to have housing rehabilitation completed.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

Was a survey of historic buildings and/or archeological sites done as part of the project?

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

- Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

- No → *Continue to Step 3.*

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

- No Historic Properties Affected

Document reason for finding:

- No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*
- Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

- No Adverse Effect

Document reason for finding:

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process including SHPO & THPO will be done on each home to have housing rehabilitation completed. The tribes will be provided opportunity to evaluate the scope of work and project to be completed to insure their approval.

Does the No Adverse Effect finding contain conditions?

Yes

Check all that apply: (check all that apply)

- Avoidance
- Modification of project
- Other

Describe conditions here:

→ *Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.5\(c\)\(2\)](#)) and consult further to try to resolve objection(s).

Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.
Criteria of Adverse Effect: [36 CFR 800.5](#)

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

Were the Adverse Effects resolved?

Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.*

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:

Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Provide correspondence, comments, documentation of decision, and “Head of Agency” approval. Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to existing, single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process including SHPO & THPO will be done on each home to have housing rehabilitation completed. The tribes will be provided opportunity to evaluate the scope of work and project to be completed to insure their approval.

Are formal compliance steps or mitigation required?

- Yes
- No

Tribal Name	Preferred Method of Initial Contact				Applicable categories of HUD-assisted projects that			
	Email	Phone	Mail	Other Contact	Other Contact Description	New Construction	Exterior Physical Changes	Projects on tribal Lands of Other Tribes
Confederated Tribes of Siletz Indians of Oregon								
Confederated Tribes of the Grand Ronde Community of Oregon								
Confederated Tribes of the Warm Springs Reservation of Oregon								
Cowlitz Indian Tribe								

Tribal Name	Last Name	First Name	Title	Street Address	City	State	Zip Code	Work Phone
Confederated Tribes of Siletz Indians of Oregon	Pigsley	Delores	Tribal Chairperson	PO Box 549	Siletz	OR	97380-0549	(541) 444-2532
Confederated Tribes of Siletz Indians of Oregon	Pigsley	Delores	Tribal Chairperson	201 SE Swan Avenue	Siletz	OR	97380-0549	(541) 444-2532
Confederated Tribes of the Grand Ronde Community of Oregon	Bailey	Christopher	Cultural Protection Specialist	8720 Grand Ronde Road	Grand Ronde	OR	97347-9712	(503) 879-1675
Confederated Tribes of the Grand Ronde Community of Oregon	Harrelson	David	Program Manager and THPO	9615 Grand Ronde Rd.	Grand Ronde	OR	97347	503-879-1630
Confederated Tribes of the Grand Ronde Community of Oregon	Kennedy	Cheryle	Tribal Chairwoman	9615 Grand Ronde Road	Grand Ronde	OR	97347-9712	(503) 879-5211
Confederated Tribes of the Warm Springs Reservation of Oregon	Brunoe	Robert	Tribal Historic Preservation Officer	P.O. Box C	Warm Springs	OR	97761	(541) 553-1161
Confederated Tribes of the Warm Springs Reservation of Oregon	Smith	Jonathan	Chairman	1233 Veterans Street	Warm Springs	OR	97761	(541) 553-1161
Cowlitz Indian Tribe	Kinswa-Gaiser	Patty	Chairwoman	1055-9th Avenue Suite B	Longview	WA	98632	(360) 577-8140
Cowlitz Indian Tribe	Russell	Seth	THPO	P.O. Box 2547	Longview	WA	98632	(360) 353-9924

Fax Number	Email	THPC URL	Last Update Datetime
(541) 444-2307	dpigsley@msn.com	N http://www.ctsi.nsn.us	01-May-2023 11:51:38
(541) 444-2307	dpigsley@msn.com	N http://www.ctsi.nsn.us	01-May-2023 11:51:38
(503) 878-2126	thpo@grandronde.org	N http://www.grandronde.org	31-Jan-2023 20:31:52
	thpo@grandronde.org	Y http://www.grandronde.org	26-Feb-2024 11:06:57
(503) 879-5964	cheryle.kennedy@grandronde.org	N http://www.grandronde.org	20-Jul-2023 14:31:49
(541) 553-3584	robert.brunoe@ctwsbnr.org	N http://www.warmsprings.com	20-Jul-2023 14:30:32
(541) 553-3241	info@warnsprings.com	N http://www.warmsprings.com	26-Feb-2024 11:06:57
(360) 577-7432	pkinswagaiser@cowlitz.org	N http://www.cowlitz.org	26-Feb-2024 11:06:57
(360) 577-7432	srussell@cowlitz.org	N http://www.cowlitz.org	31-Jan-2023 20:36:35

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Coddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

**Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program**

Dear Mr. Bailey,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

There is no known potential effect to any tribal sites. Because of the nature of the projects – being work done primarily to the interior and exterior of the home – there will be no effect to any Native American historical sites or artifacts, including religious and cultural significance. If there is any digging in dirt or any other work exterior to the existing footprint of the home, an Inadvertent Discovery Plan will be in place. The Tribes will be advised through the THPO process if there will be any disturbance of any area outside the existing footprint of the home.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project consists of individual homes that have not yet been identified, and Site Specific Reviews of each location will be conducted prior to proceeding with work.

For CDBG Grant #H23007, the projects consist of minor housing rehabilitation (less than 50% of the value of the structure) with an average expected project not exceeding \$15,000. These repairs will be done through loans and grants to low- and moderate-income homeowners to improve, restore and make their homes safe. Properties that are single family homes or manufactured homes on private lots will be loans; manufactured homes in park projects will be grants to the homeowner. Community Development Block Grant funds will be able to be utilized to assist manufactured homes built after 1977.

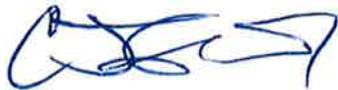
More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

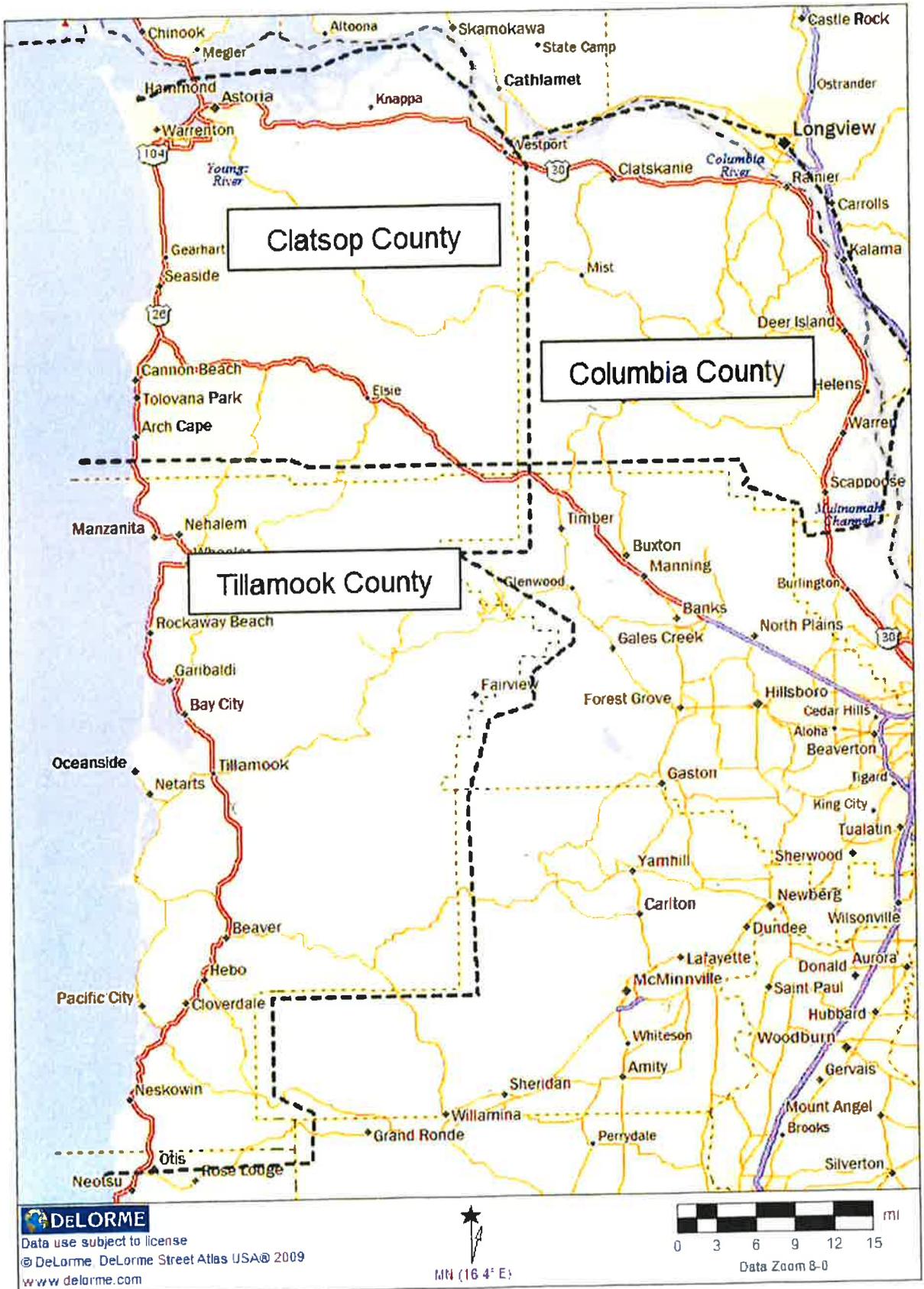
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



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Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

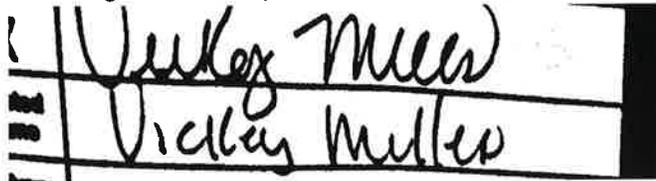


Date Produced: 09/24/2024

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Signature of Recipient :



Address of Recipient :



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United States Postal Service

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CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
CHRISTOPHER BAILEY
CULTURAL PROTECTION SPECIALIST
8720 GRAND RONDE RD
GRAND RONDE OR 97347-2016

Customer Reference Number: C5322764.32138164

USPS MAIL PIECE TRACKING NUMBER: 420973479214890194038378809061

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

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CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
CHRISTOPHER BAILEY
CULTURAL PROTECTION SPECIALIST
8720 GRAND RONDE RD
GRAND RONDE OR 97347-2016

MAIL PIECE TRACKING EVENTS:

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09/20/2024 01:09	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 07:46	ARRIVAL AT UNIT	GRAND RONDE,OR 97347
09/21/2024 08:00	RESCHEDULED TO NEXT DELIVERY DAY	GRAND RONDE,OR 97347
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COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Coddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Mr. Brunoe,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

There is no known potential effect to any tribal sites. Because of the nature of the projects – being work done primarily to the interior and exterior of the home – there will be no effect to any Native American historical sites or artifacts, including religious and cultural significance. If there is any digging in dirt or any other work exterior to the existing footprint of the home, an Inadvertent Discovery Plan will be in place. The Tribes will be advised through the THPO process if there will be any disturbance of any area outside the existing footprint of the home.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project consists of individual homes that have not yet been identified, and Site Specific Reviews of each location will be conducted prior to proceeding with work.

For CDBG Grant #H23007, the projects consist of minor housing rehabilitation (less than 50% of the value of the structure) with an average expected project not exceeding \$15,000. These repairs will be done through loans and grants to low- and moderate-income homeowners to improve, restore and make their homes safe. Properties that are single family homes or manufactured homes on private lots will be loans; manufactured homes in park projects will be grants to the homeowner. Community Development Block Grant funds will be able to be utilized to assist manufactured homes built after 1977.

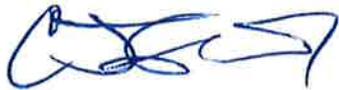
More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

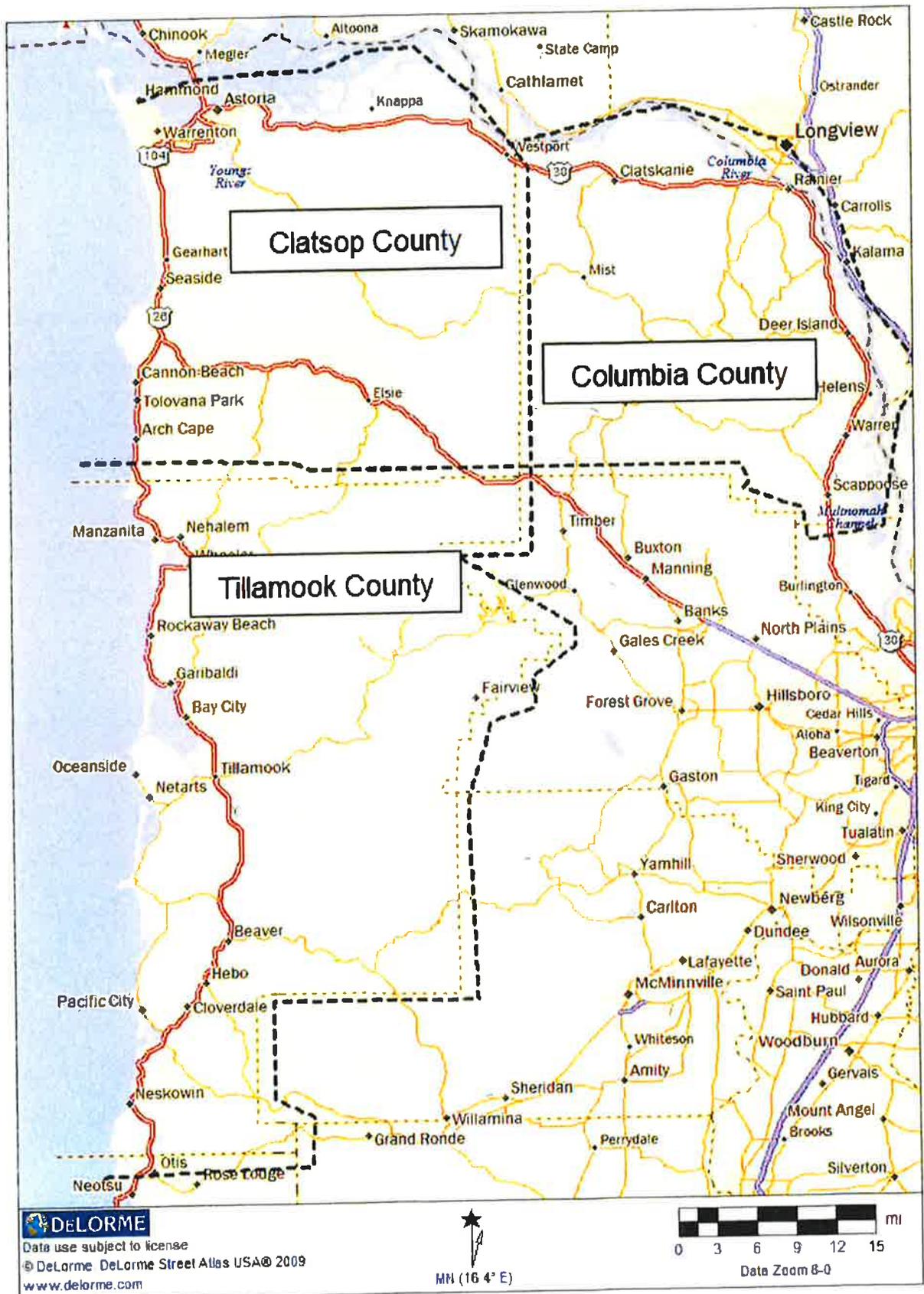
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties



Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8092 52. Our records indicate that this item was delivered on 09/23/2024 at 11:20 a.m. in WARM SPRINGS, OR 97761. The scanned image of the recipient information is provided below.

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Signature	
Printed Name	M. A. W. Nishat

Address of Recipient :

Delivery Address	PO BOX C
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United States Postal Service

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ROBERT BRUNOE
TRIBAL HISTORIC PRESERVATION OFFICER
PO BOX C
WARM SPRINGS OR 97761-3001

Customer Reference Number: C5322764.32138167

USPS MAIL PIECE TRACKING NUMBER: 420977619214890194038378809252

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

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TRIBAL HISTORIC PRESERVATION OFFICER
PO BOX C
WARM SPRINGS OR 97761-3001

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47 PRE-SHIPMENT INFO SENT USPS AWAITS ITEM
09/19/2024 23:54 ORIGIN ACCEPTANCE
09/20/2024 01:09 PROCESSED THROUGH USPS FACILITY
09/21/2024 09:23 AVAILABLE FOR PICKUP
09/21/2024 09:23 ARRIVAL AT UNIT
09/23/2024 11:20 DELIVERED INDIVIDUAL PICKED UP AT USPS

SAINT HELENS,OR 97051
SAINT HELENS,OR 97051
PORTLAND,OR 97215
WARM SPRINGS,OR 97761
WARM SPRINGS,OR 97761
WARM SPRINGS,OR 97761

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners

Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration

Jacyu Normine
Kathy Coddington

Communications

Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338

Direct (503) 397-4322

Fax (503) 366-7213

columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Mr. Harrelson,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

There is no known potential effect to any tribal sites. Because of the nature of the projects – being work done primarily to the interior and exterior of the home – there will be no effect to any Native American historical sites or artifacts, including religious and cultural significance. If there is any digging in dirt or any other work exterior to the existing footprint of the home, an Inadvertent Discovery Plan will be in place. The Tribes will be advised through the THPO process if there will be any disturbance of any area outside the existing footprint of the home.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project consists of individual homes that have not yet been identified, and Site Specific Reviews of each location will be conducted prior to proceeding with work.

For CDBG Grant #H23007, the projects consist of minor housing rehabilitation (less than 50% of the value of the structure) with an average expected project not exceeding \$15,000. These repairs will be done through loans and grants to low- and moderate-income homeowners to improve, restore and make their homes safe. Properties that are single family homes or manufactured homes on private lots will be loans; manufactured homes in park projects will be grants to the homeowner. Community Development Block Grant funds will be able to be utilized to assist manufactured homes built after 1977.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

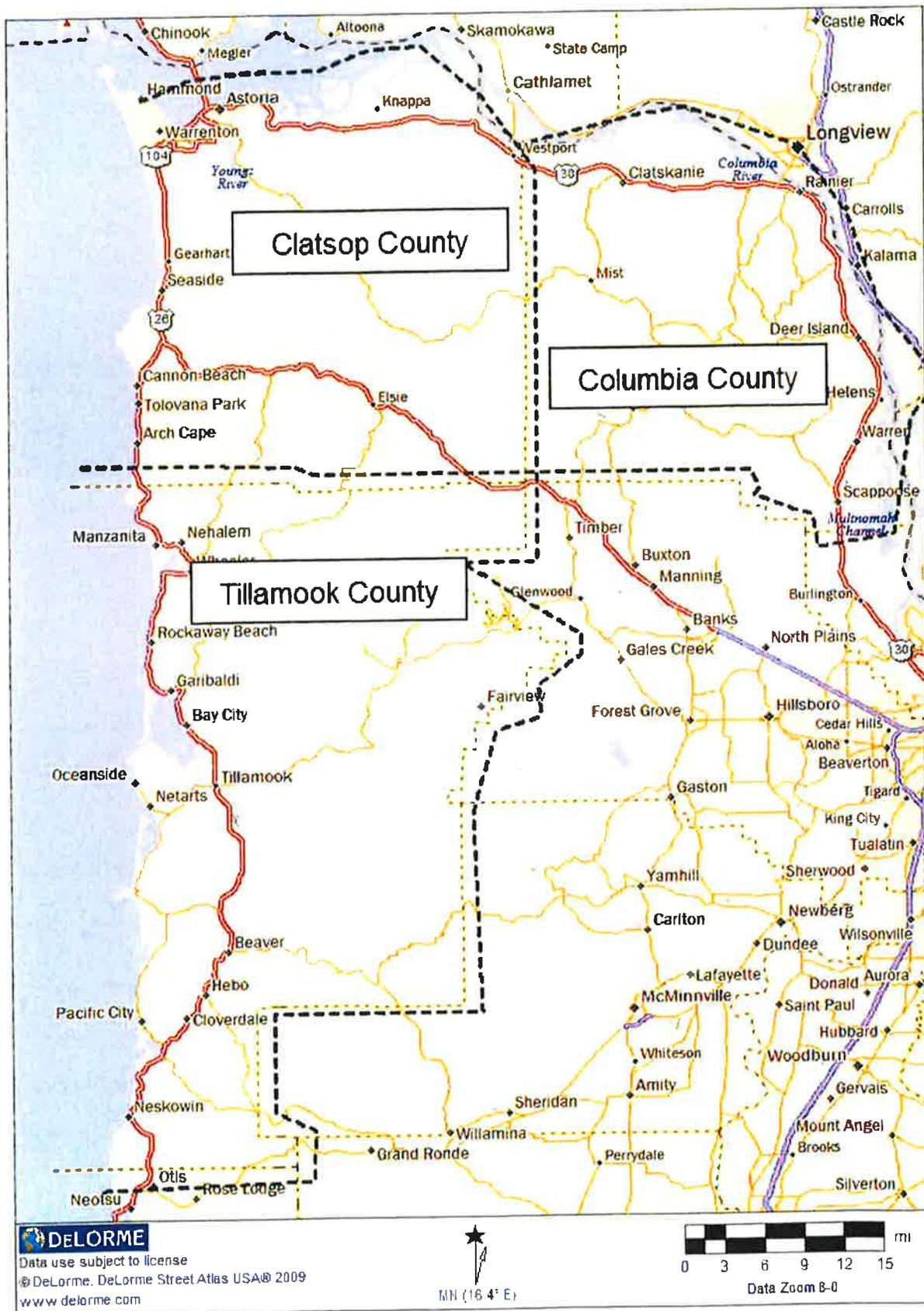
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

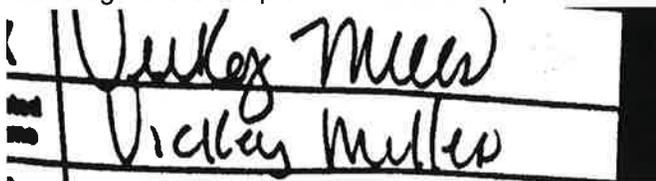


Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8090 30. Our records indicate that this item was delivered on 09/23/2024 at 08:30 a.m. in GRAND RONDE, OR 97347. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
DAVID HARRELSON
PROGRAM MANAGER AND
TRIBAL HISTORIC PRESERVATION OFFICER
8720 GRAND RONDE RD
GRAND RONDE OR 97347-2016

Customer Reference Number: C5322764.32138163

USPS MAIL PIECE TRACKING NUMBER: 420973479214890194038378809030

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
DAVID HARRELSON
PROGRAM MANAGER AND
TRIBAL HISTORIC PRESERVATION OFFICER
8720 GRAND RONDE RD
GRAND RONDE OR 97347-2016

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:54	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:09	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 07:46	ARRIVAL AT UNIT	GRAND RONDE,OR 97347
09/21/2024 08:00	RESCHEDULED TO NEXT DELIVERY DAY	GRAND RONDE,OR 97347
09/23/2024 08:30	DELIVERED INDIVIDUAL PICKED UP AT USPS	GRAND RONDE,OR 97347

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners

Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration

Jacyn Normine
Kathy Goddington

Communications

Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338

Direct (503) 397-4322

Fax (503) 366-7243

columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Mr. Hatch,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

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Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project consists of individual homes that have not yet been identified, and Site Specific Reviews of each location will be conducted prior to proceeding with work.

For CDBG Grant #H23007, the projects consist of minor housing rehabilitation (less than 50% of the value of the structure) with an average expected project not exceeding \$15,000. These repairs will be done through loans and grants to low- and moderate-income homeowners to improve, restore and make their homes safe. Properties that are single family homes or manufactured homes on private lots will be loans; manufactured homes in park projects will be grants to the homeowner. Community Development Block Grant funds will be able to be utilized to assist manufactured homes built after 1977.

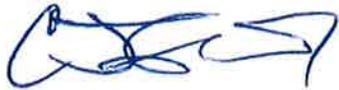
More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

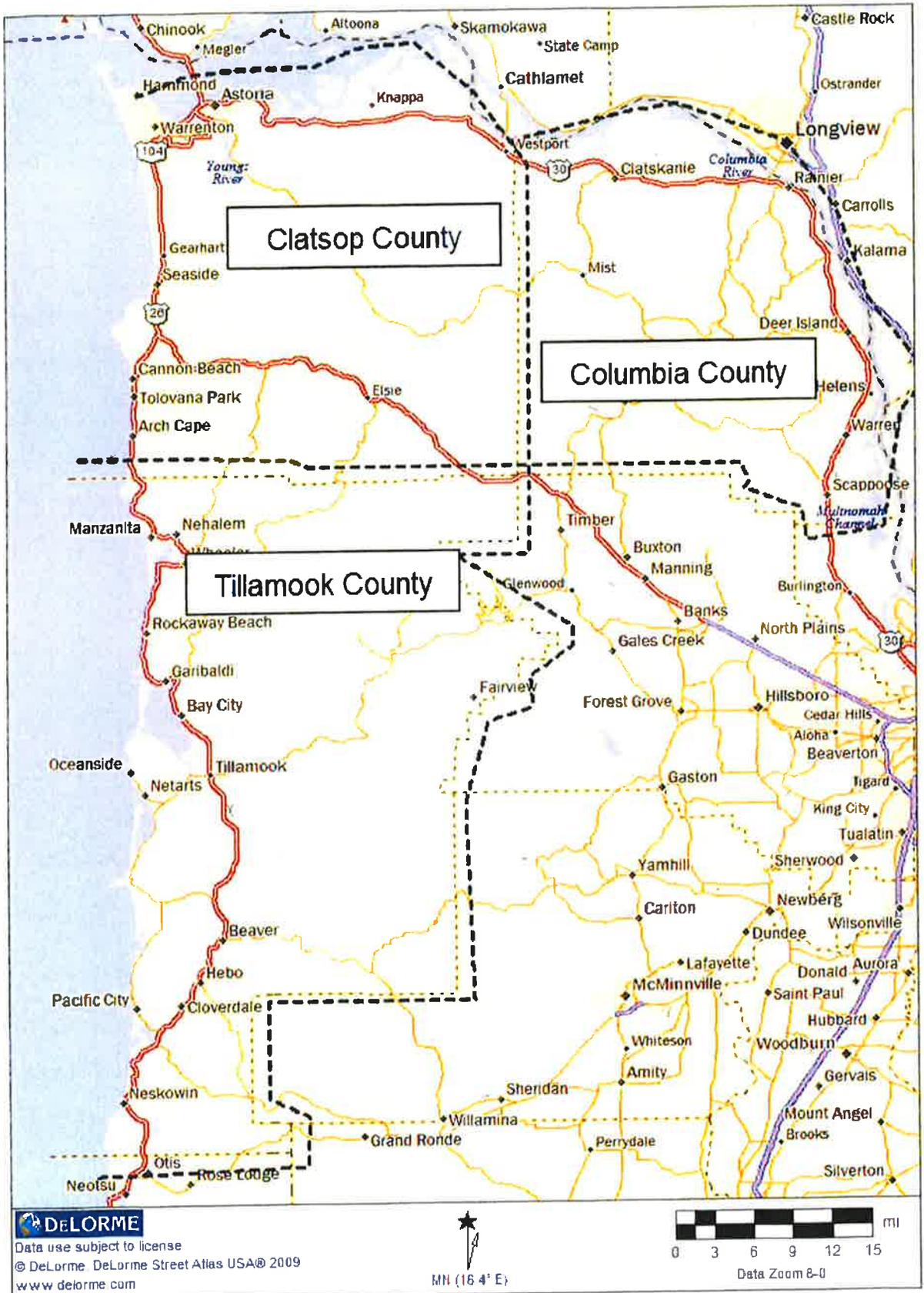
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8089 72. Our records indicate that this item was delivered on 09/23/2024 at 10:16 a.m. in SILETZ, OR 97380. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	
Printed Name	Nolan Lane

Address of Recipient :

Delivery Address	549
------------------	-----

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PETER HATCH
HISTORY & ARCHEOLOGY SPECIALIST
TRIBAL CULTURAL CENTER
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
402 GOVERNMENT HILL ROAD
SILETZ, OR 97380

Customer Reference Number: C5322764.32138161

USPS MAIL PIECE TRACKING NUMBER: 420973809214890194038378808972

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

PETER HATCH
HISTORY & ARCHEOLOGY SPECIALIST
TRIBAL CULTURAL CENTER
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
402 GOVERNMENT HILL ROAD
SILETZ, OR 97380

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:54	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:09	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 08:56	ARRIVAL AT UNIT	SILETZ,OR 97380
09/21/2024 09:07	OUT FOR DELIVERY	SILETZ,OR 97380
09/21/2024 11:38	AVAILABLE FOR PICKUP	SILETZ,OR 97380
09/23/2024 10:16	DELIVERED PO BOX	SILETZ,OR 97380

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normite
Kathy Goddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

**Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program**

Dear Ms. Johnson,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

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HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

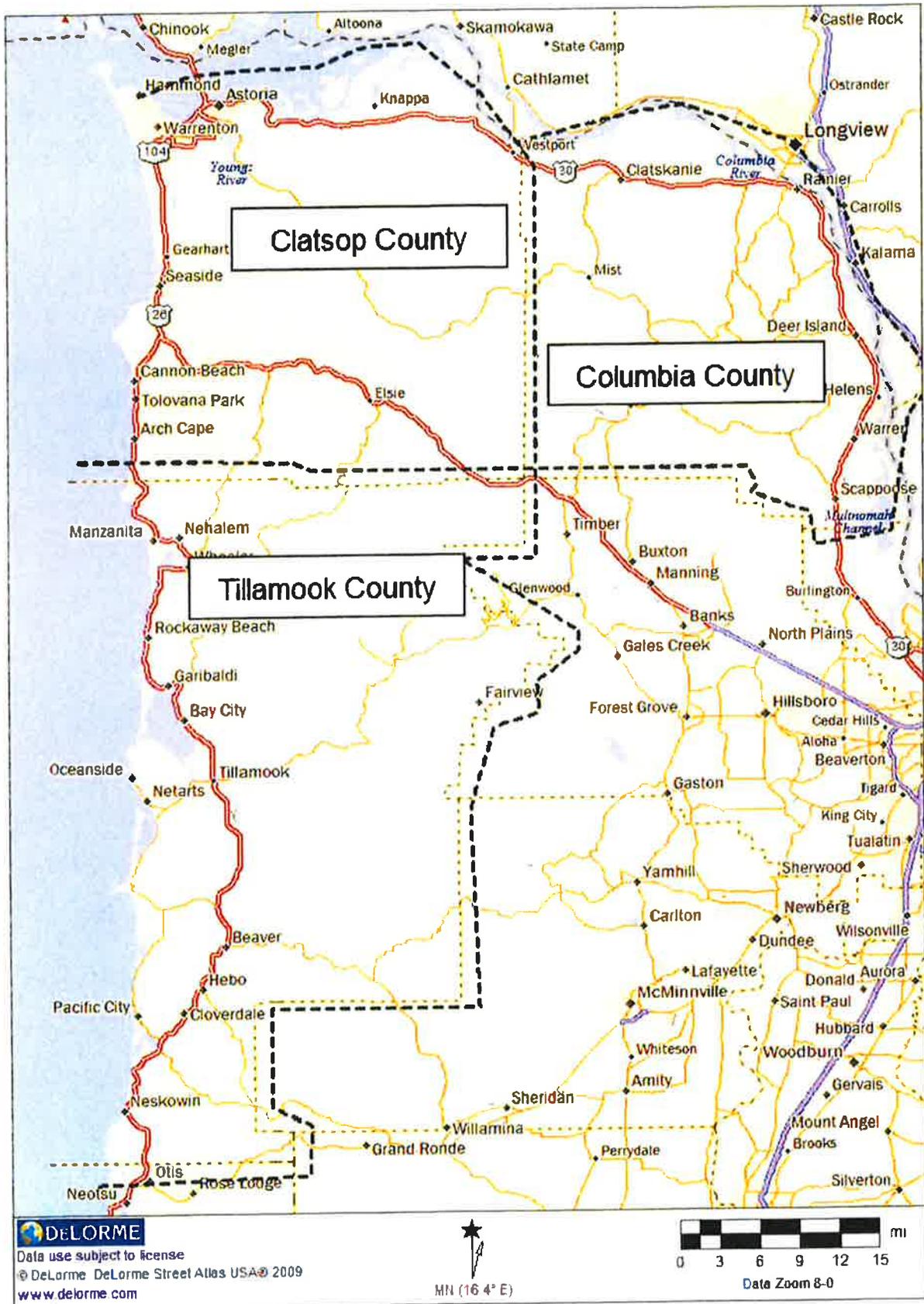
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



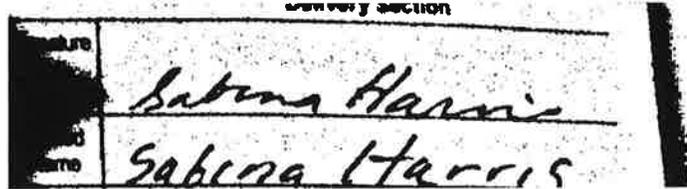
Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

Date Produced: 09/23/2024

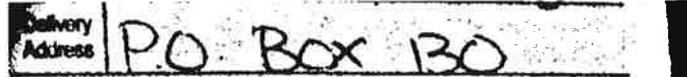
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8091 39. Our records indicate that this item was delivered on 09/21/2024 at 08:31 a.m. in TOKELAND, WA 98590. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

SHOALWATER BAY TRIBE OF THE SHOALWATER BAY INDIAN RESERVATION
MARY JOHNSON
HERITAGE AND CULTURAL DIRECTOR
2373 TOKELAND RD
TOKELAND WA 98590

USPS MAIL PIECE TRACKING NUMBER: 420985909214890194038378809139

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/21/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

SHOALWATER BAY TRIBE OF THE SHOALWATER BAY INDIAN RESERVATION
MARY JOHNSON
HERITAGE AND CULTURAL DIRECTOR
2373 TOKELAND RD
TOKELAND WA 98590

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:53	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:08	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/20/2024 09:53	DEPARTED USPS REGIONAL FACILITY	TACOMA WA DISTRIBUTION CENTER 98413
09/21/2024 08:31	DELIVERED PO BOX	TOKELAND,WA 98590
09/21/2024 08:31	ARRIVAL AT UNIT	TOKELAND,WA 98590

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners

Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration

Jacyn Normine
Kathy Goddington

Communications

Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338

Direct (503) 397-4322

Fax (503) 366-7243

columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Ms. Kennedy,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

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HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

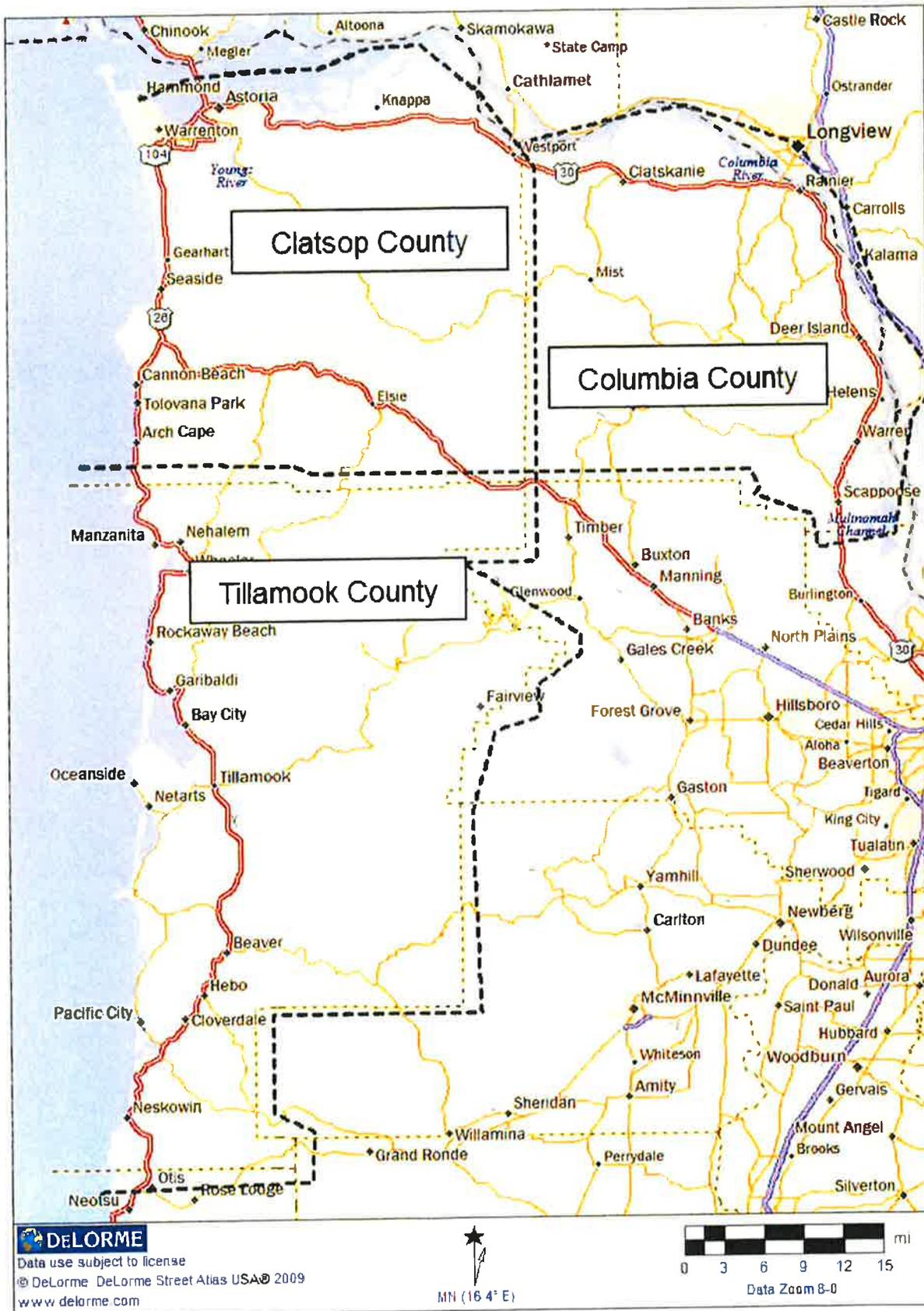
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

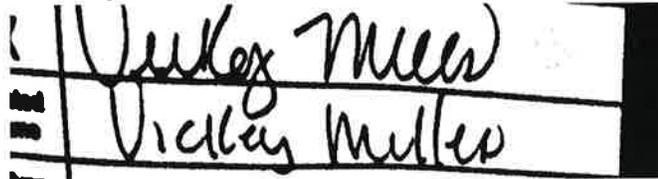


Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8090 09. Our records indicate that this item was delivered on 09/23/2024 at 08:31 a.m. in GRAND RONDE, OR 97347. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
CHERYLE KENNEDY
TRIBAL CHAIRWOMAN
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Customer Reference Number: C5322764.32138162

USPS MAIL PIECE TRACKING NUMBER: 420973479214890194038378809009

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
CHERYLE KENNEDY
TRIBAL CHAIRWOMAN
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:53	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:08	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 07:47	ARRIVAL AT UNIT	GRAND RONDE,OR 97347
09/21/2024 08:00	RESCHEDULED TO NEXT DELIVERY DAY	GRAND RONDE,OR 97347
09/23/2024 08:31	DELIVERED INDIVIDUAL PICKED UP AT USPS	GRAND RONDE,OR 97347

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners

Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration

Jacyn Normine
Kathy Coddington

Communications

Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338

Direct (503) 397-4322

Fax (503) 366-7243

columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Ms. Kinswa-Gaiser,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. The project consists of individual homes that have not yet been identified, and Site Specific Reviews of each location will be conducted prior to proceeding with work.

For CDBG Grant #H23007, the projects consist of minor housing rehabilitation (less than 50% of the value of the structure) with an average expected project not exceeding \$15,000. These repairs will be done through loans and grants to low- and moderate-income homeowners to improve, restore and make their homes safe. Properties that are single family homes or manufactured homes on private lots will be loans; manufactured homes in park projects will be grants to the homeowner. Community Development Block Grant funds will be able to be utilized to assist manufactured homes built after 1977.

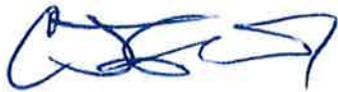
More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

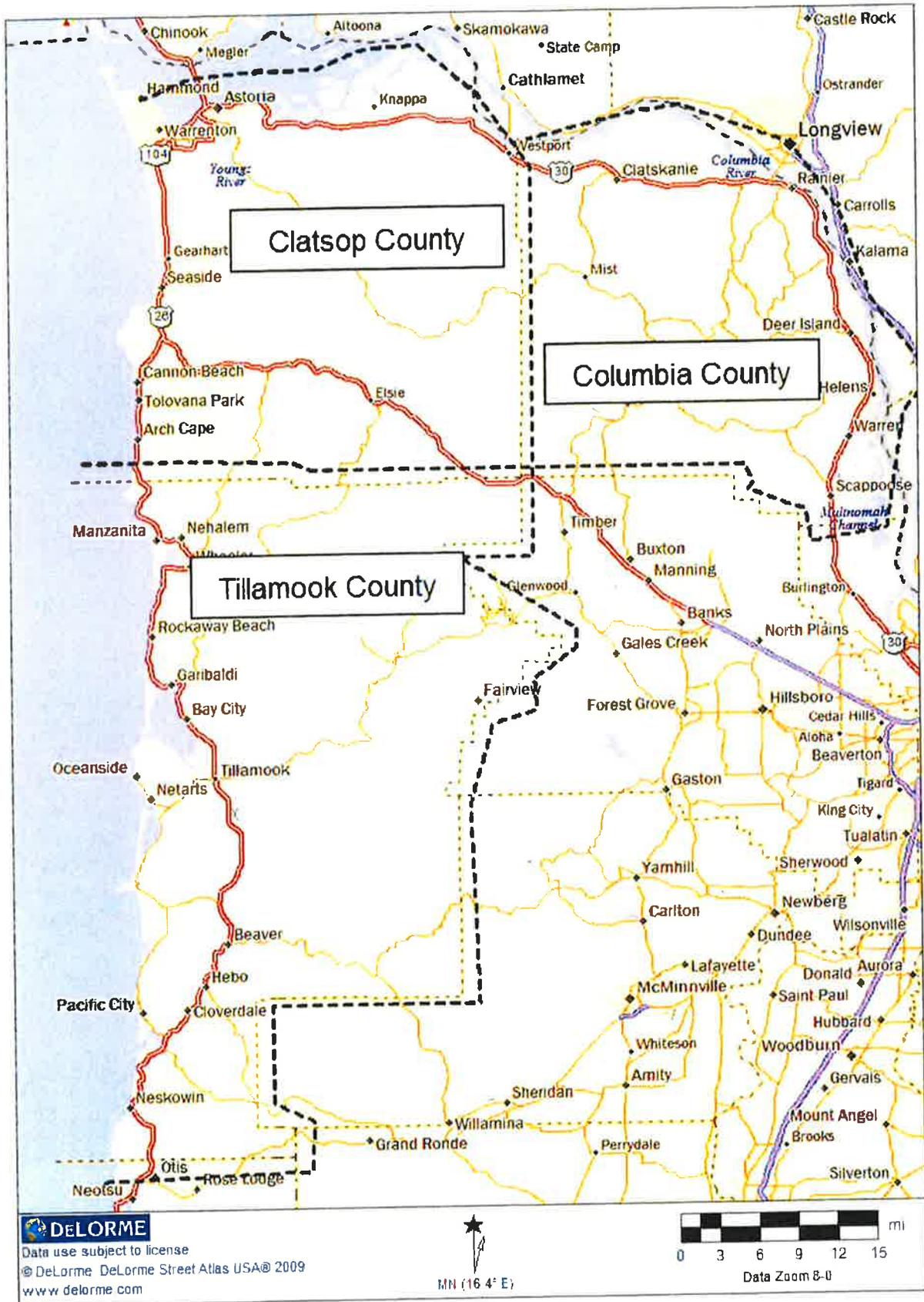
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

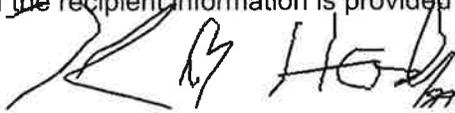


Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8094 12. Our records indicate that this item was delivered on 09/23/2024 at 04:46 p.m. in LONGVIEW, WA 98632. The scanned image of the recipient information is provided below.

Signature of Recipient :


Kim Hodges

Address of Recipient :

1055 

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

COWLITZ INDIAN TRIBE
PATTY KINSWA-GAISER
TRIBAL CHAIRWOMAN
1055 9TH AVENUE
SUITE B
LONGVIEW, WA 98632

Customer Reference Number: C5322764.32138169

USPS MAIL PIECE TRACKING NUMBER: 420986329214890194038378809412

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

COWLITZ INDIAN TRIBE
PATTY KINSWA-GAISER
TRIBAL CHAIRWOMAN
1055 9TH AVENUE
SUITE B
LONGVIEW, WA 98632

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47 PRE-SHIPMENT INFO SENT USPS AWAITS ITEM
09/19/2024 23:53 ORIGIN ACCEPTANCE
09/20/2024 01:08 PROCESSED THROUGH USPS FACILITY
09/21/2024 13:12 RESCHEDULED TO NEXT DELIVERY DAY
09/23/2024 16:46 DELIVERED LEFT WITH INDIVIDUAL

SAINT HELENS,OR 97051
SAINT HELENS,OR 97051
PORTLAND,OR 97215
LONGVIEW,WA 98632
LONGVIEW,WA 98632

Susan Wagner

From: Jacyn Normine <Jacyn.Normine@columbiacountyor.gov>
Sent: Tuesday, October 8, 2024 8:47 AM
To: Susan Wagner
Subject: Fw: Notification

From: Lori Goodwin <lgoodwin@cowlitz.org>
Sent: Tuesday, October 8, 2024 8:26 AM
To: Board of Commissioners Office <BoardofCommissionersOffice@columbiacountyor.gov>
Subject: Notification

Some people who received this message don't often get email from lgoodwin@cowlitz.org. [Learn why this is important](#)

CAUTION: This email was NOT sent by the Columbia County email system. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.
Also, do NOT scan any 'QR' codes in this email.

Hello,

We receive a letter from your office addressed to Chairwoman Patty Kinswa-Gaiser. I am writing to ask if you could please update your records reflect that, as of last June, we have a new Chairman. His name is William (Bill) Iyall. His email address is: wiyall@cowlitz.org.

Please let me know if you have any questions.

Thank you,

Lori Goodwin

EXECUTIVE ASSISTANT TO TRIBAL CHAIRMAN

(360) 827-0181

lgoodwin@cowlitz.org

www.cowlitz.org

P.O. Box 2547 / 1055 – 9th Street
Longview, WA 98632



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COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Coddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Mr. Lane,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

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More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

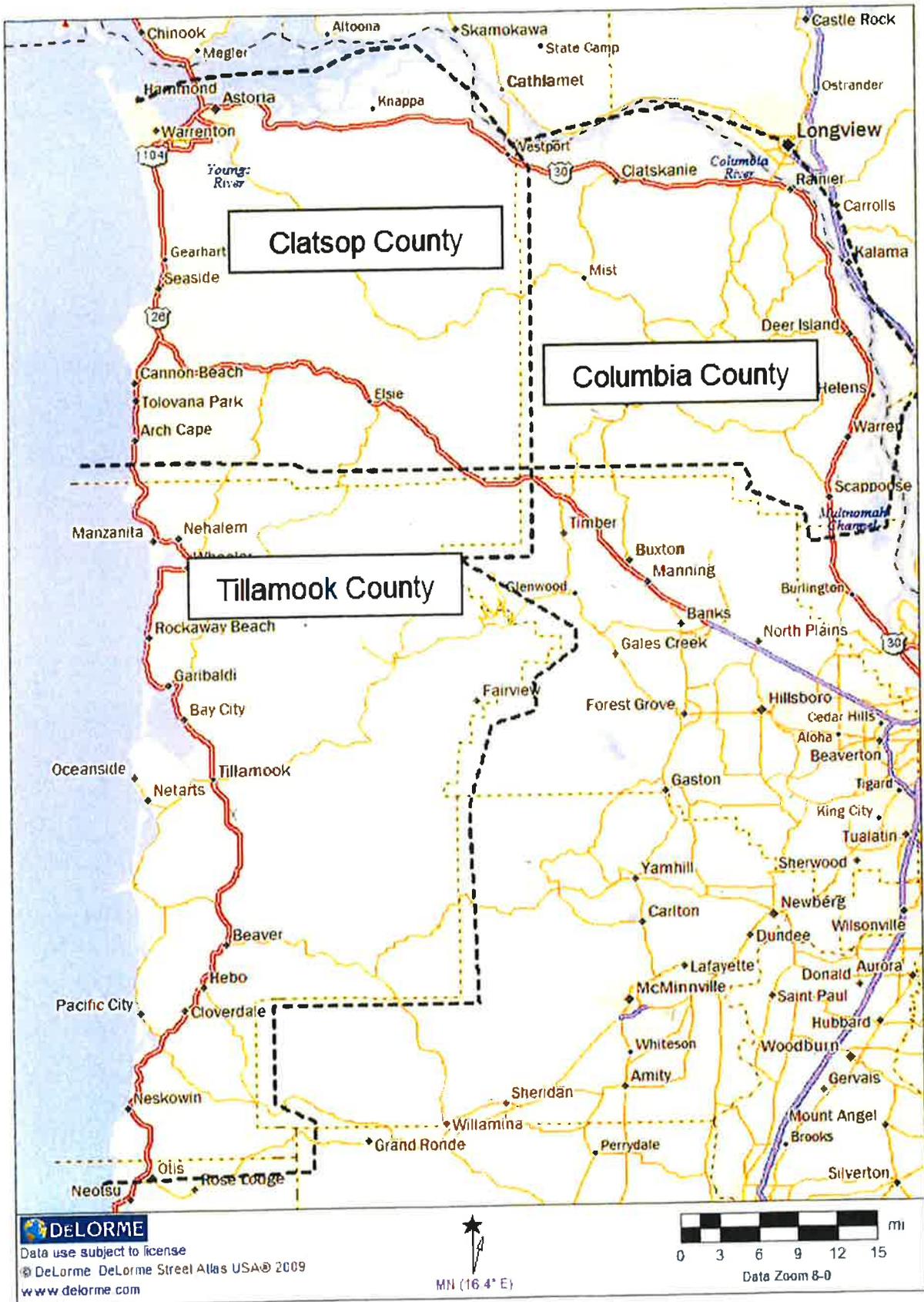
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties



Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8089 27. Our records indicate that this item was delivered on 09/23/2024 at 10:16 a.m. in SILETZ, OR 97380. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	
Printed Name	Nolan Lane

Address of Recipient :

Delivery Address	549
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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

BUDDY LANE
CULTURAL RESOURCES MANAGER
TRIBAL CULTURAL CENTER
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
402 GOVERNMENT HILL ROAD
SILETZ, OR 97380

Customer Reference Number: C5322764.32138160

USPS MAIL PIECE TRACKING NUMBER: 420973809214890194038378808927

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

BUDDY LANE
CULTURAL RESOURCES MANAGER
TRIBAL CULTURAL CENTER
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
402 GOVERNMENT HILL ROAD
SILETZ, OR 97380

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:54	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:09	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 08:56	ARRIVAL AT UNIT	SILETZ,OR 97380
09/21/2024 09:07	OUT FOR DELIVERY	SILETZ,OR 97380
09/21/2024 11:38	AVAILABLE FOR PICKUP	SILETZ,OR 97380
09/23/2024 10:16	DELIVERED PO BOX	SILETZ,OR 97380

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Coddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Ms. Pigsley,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,

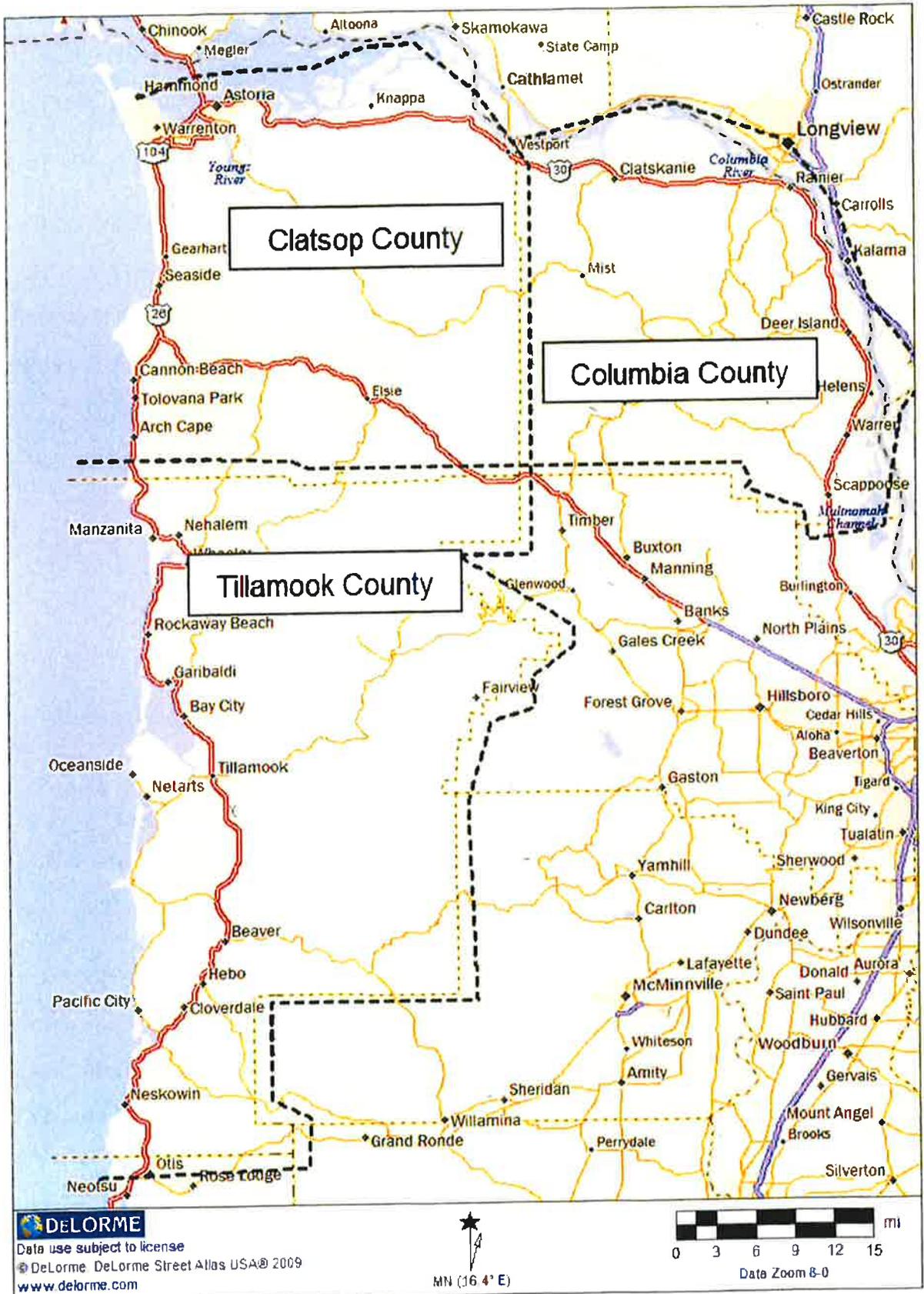
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



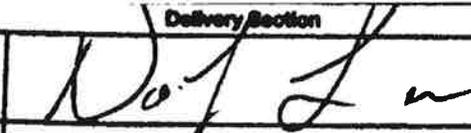
Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8088 97. Our records indicate that this item was delivered on 09/23/2024 at 10:16 a.m. in SILETZ, OR 97380. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery Section	
Signature	
Printed Name	Nolan Lane

Address of Recipient :

Delivery Address	549
------------------	-----

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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DELORES PIGSLEY
TRIBAL CHAIRMAN
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
PO BOX 549
SILETZ OR 97380-0549

USPS MAIL PIECE TRACKING NUMBER: 420973809214890194038378808897

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

DELORES PIGSLEY
TRIBAL CHAIRMAN
CONFEDERATED TRIBES OF THE SILETZ RESERVATION
PO BOX 549
SILETZ OR 97380-0549

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SAINT HELENS,OR 97051
09/19/2024 23:54	ORIGIN ACCEPTANCE	SAINT HELENS,OR 97051
09/20/2024 01:09	PROCESSED THROUGH USPS FACILITY	PORTLAND,OR 97215
09/21/2024 10:00	ARRIVAL AT UNIT	SILETZ,OR 97380
09/21/2024 11:38	AVAILABLE FOR PICKUP	SILETZ,OR 97380
09/23/2024 10:16	DELIVERED PO BOX	SILETZ,OR 97380

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Goddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

Dear Mr. Russell,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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Sincerely,

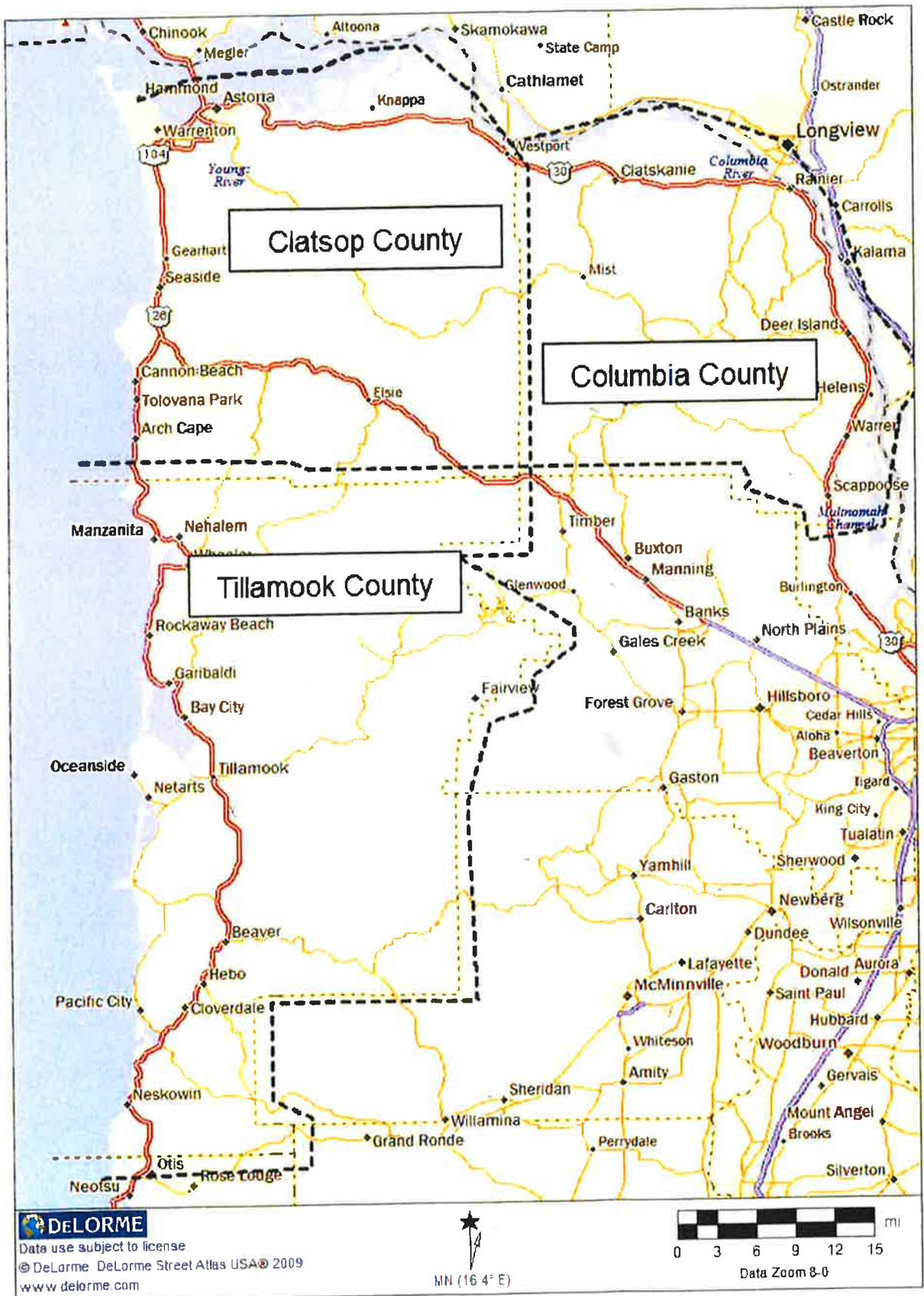
Columbia County Board of Commissioners



Casey Garrett
Chair, Columbia County Oregon Board of Commissioners
503-397-4322
BoardofCommissionersOffice@columbiacountyor.gov
FAX: 503-397-7243

Attachments: Map & Description of Project H23007

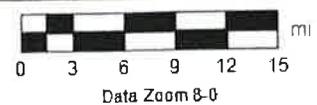
cc: Susan Wagner, Community Action Team
swagner@cat-team.org; 503.366.6562



DE LORME

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 www.delorme.com

MN (16 4° E)



Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

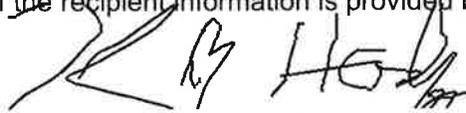


Date Produced: 09/24/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8378 8094 36. Our records indicate that this item was delivered on 09/23/2024 at 04:46 p.m. in LONGVIEW, WA 98632. The scanned image of the recipient information is provided below.

Signature of Recipient :


Kim Hodges

Address of Recipient :

1055 

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

COWLITZ INDIAN TRIBE
SETH RUSSELL
TRIBAL HISTORIC PRESERVATION OFFICER
1055 9TH AVENUE
SUITE B
LONGVIEW, WA 98632

Customer Reference Number: C5322764.32138170

USPS MAIL PIECE TRACKING NUMBER: 420986329214890194038378809436

MAILING DATE: 09/19/2024

DELIVERED DATE: 09/23/2024

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

COWLITZ INDIAN TRIBE
SETH RUSSELL
TRIBAL HISTORIC PRESERVATION OFFICER
1055 9TH AVENUE
SUITE B
LONGVIEW, WA 98632

MAIL PIECE TRACKING EVENTS:

09/19/2024 17:47 PRE-SHIPMENT INFO SENT USPS AWAITS ITEM
09/19/2024 23:54 ORIGIN ACCEPTANCE
09/20/2024 01:09 PROCESSED THROUGH USPS FACILITY
09/21/2024 13:12 RESCHEDULED TO NEXT DELIVERY DAY
09/23/2024 16:46 DELIVERED LEFT WITH INDIVIDUAL

SAINT HELENS,OR 97051
SAINT HELENS,OR 97051
PORTLAND,OR 97215
LONGVIEW,WA 98632
LONGVIEW,WA 98632

COLUMBIA COUNTY

Board of Commissioners Office

Commissioners
Margaret Magruder
Kellie Jo Smith
Casey Garrett

Administration
Jacyn Normine
Kathy Coddington

Communications
Mark Pacheco



ST. HELENS, OR 97051

230 Strand St., Room 338
Direct (503) 397-4322
Fax (503) 366-7243
columbiacountyor.gov

September 19, 2024

Sent Certified Mail, Return Receipt Requested

Re: Columbia County's Northwest Oregon Regional Housing
Rehabilitation Loan and Grant Program
Oregon Business Development Department
CDBG Program - Grant #H23007
HUD Program

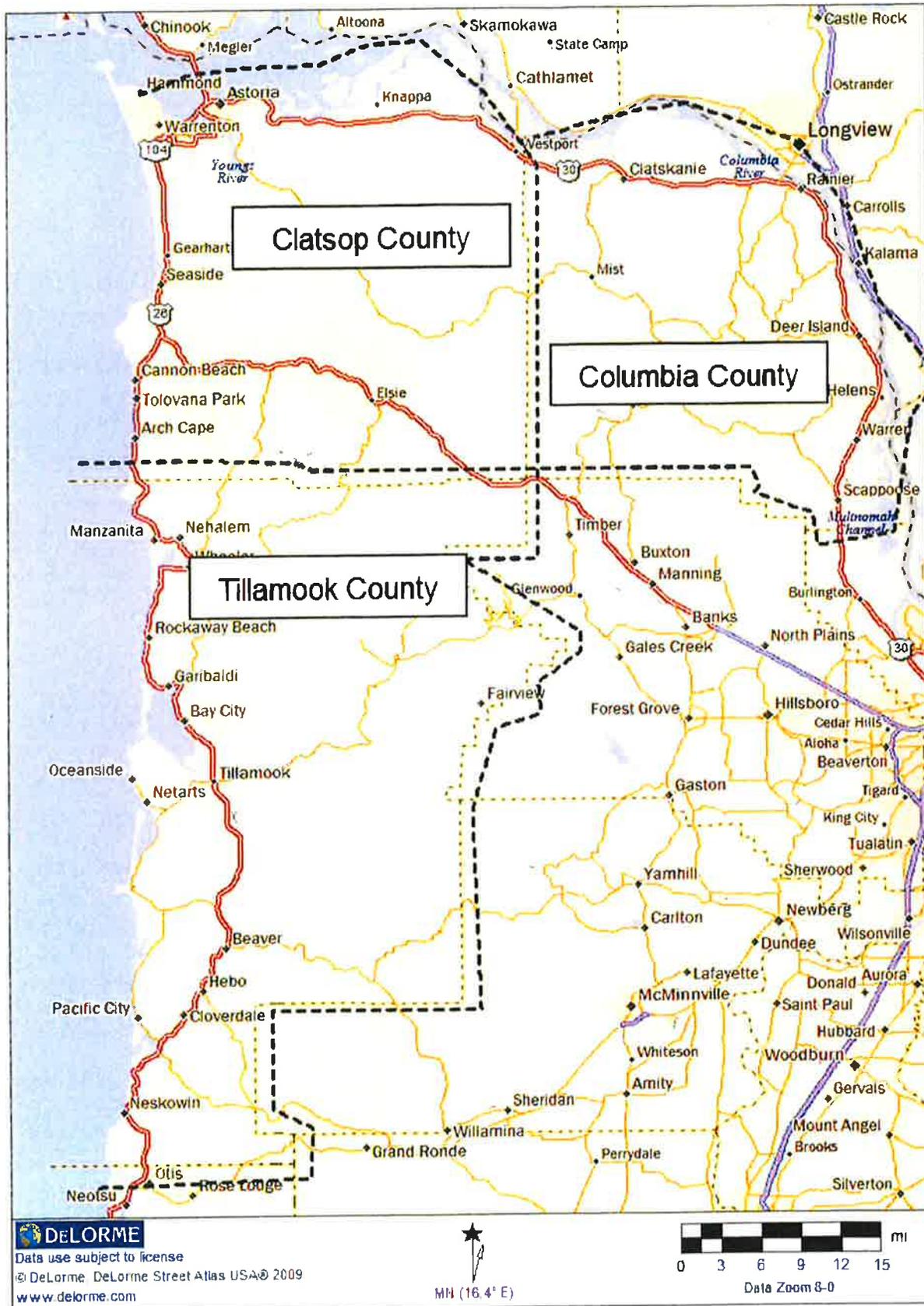
Dear Mr. Swanson,

Columbia County has received funding for the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Columbia County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Columbia County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

There is no known potential effect to any tribal sites. Because of the nature of the projects – being work done primarily to the interior and exterior of the home – there will be no effect to any Native American historical sites or artifacts, including religious and cultural significance. If there is any digging in dirt or any other work exterior to the existing footprint of the home, an Inadvertent Discovery Plan will be in place. The Tribes will be advised through the THPO process if there will be any disturbance of any area outside the existing footprint of the home.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?



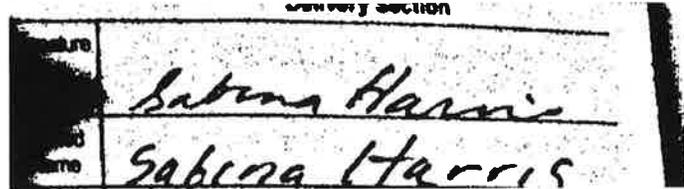
Community Action Team's Service Area - Clatsop, Columbia & Tillamook Counties

Date Produced: 09/23/2024

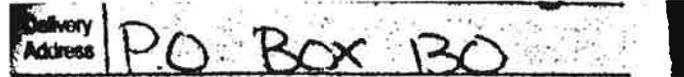
ConnectSuite Inc.:

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QUINTIN SWANSON
TRIBAL CHAIRMAN
2373 TOKELAND RD
TOKELAND WA 98590

Floodplain Management (CEST and EA)

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → Continue to Question 3, Floodways

- Coastal High Hazard Area (V Zone) → Continue to Question 4, Coastal High Hazard Areas
- 500-year floodplain (B Zone or shaded X Zone) → Continue to Question 5, 500-year Floodplains
- 100-year floodplain (A Zone) → The 8-Step Process is required. Continue to Question 6, 8-Step Process

3. **Floodways**

Is this a functionally dependent use?

Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→Continue to Question 6, 8-Step Process

No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

4. **Coastal High Hazard Area**

Is this a critical action?

Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ Continue to Question 6, 8-Step Process

5. 500-year Floodplain

Is this a critical action?

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 6, 8-Step Process

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ Continue to Question 7, Mitigation

5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the

Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

- 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
- (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

7. Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation is not required for this program. The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be completed on each home to have housing rehabilitation completed.
No work will be completed in a floodway.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be completed on each home to have housing rehabilitation completed.
No work will be completed in a floodway.

Are formal compliance steps or mitigation required?

Yes

No

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

2. Does this project include activities that are subject to state review?

Yes → Continue to Question 3.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → Continue to Question 4.

Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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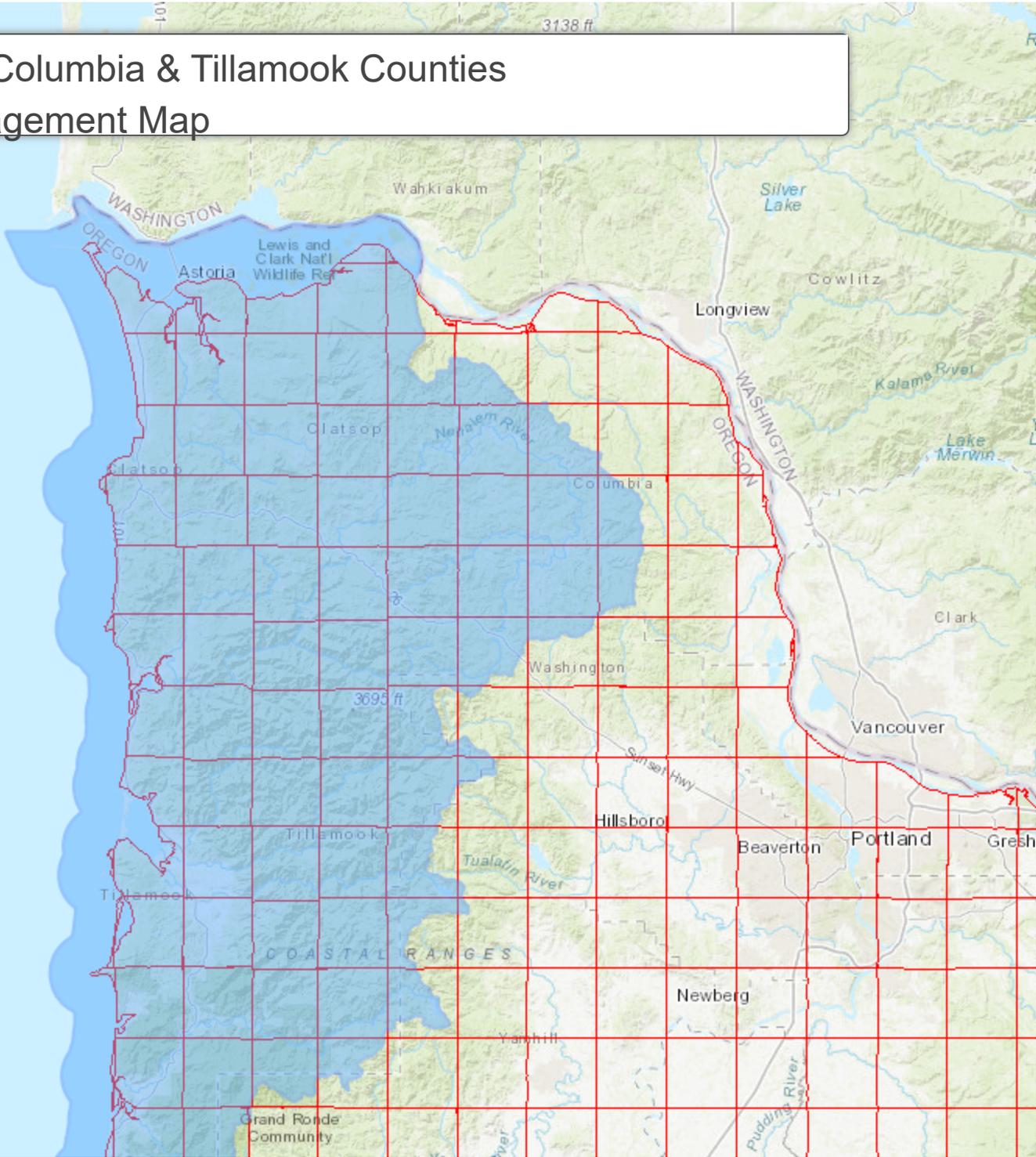
Are formal compliance steps or mitigation required?

Yes

No



H23007 - Clatsop, Columbia & Tillamook Counties Coastal Zone Management Map



Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

- Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- No → *Continue to Question 2.*

2. Is the project located on a sole source aquifer (SSA)¹?

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*
- Yes → *Continue to Question 3.*

3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

- Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*
- No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

- Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

¹ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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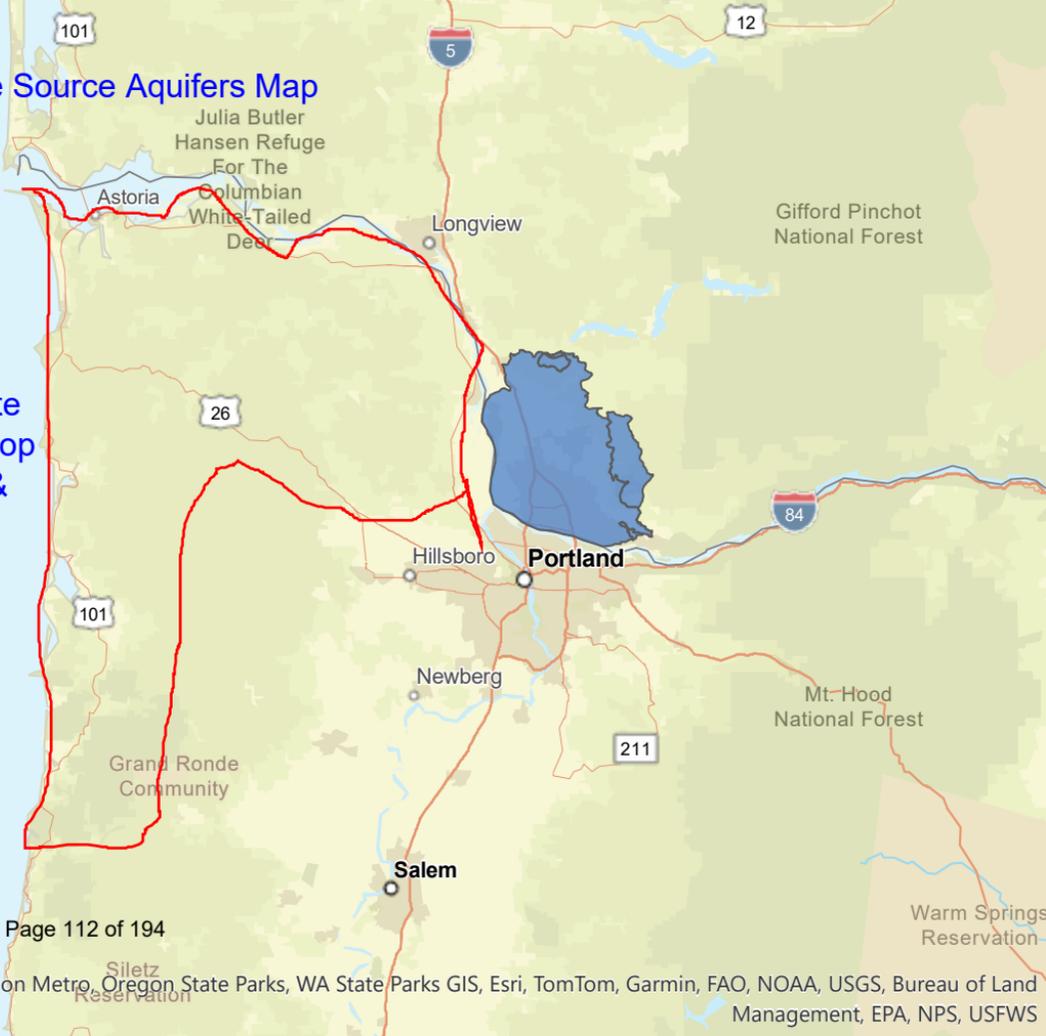
Are formal compliance steps or mitigation required?

Yes

No

H23007 - Sole Source Aquifers Map

Approximate Area; Clatsop Tillamook & Columbia Counties



Endangered Species Act (CEST and EA)

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402
References		
https://www.hudexchange.info/environmental-review/endangered-species		

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.
 Explain your determination:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation*

may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

- Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
→ *Continue to Question 4, Informal Consultation.*

- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.
→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- Yes, the Service(s) concurred with the finding.
→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*
- (1) A biological evaluation or equivalent document*
 - (2) Concurrence(s) from FWS and/or NMFS*
 - (3) Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding. → Continue to Question 5.

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

No mitigation is necessary.

Explain why mitigation will not be made here:

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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Are formal compliance steps or mitigation required?

Yes

No



[ECOS](#) / [Species Reports](#)

/ Listed species with spatial current range believed to or known to occur in OR

Listed species with spatial current range believed to or known to occur in Oregon

Notes:

- This report includes species only if they have a **Spatial Current Range** in ECOS.
- **As of 02/13/2015 the data in this report has been updated to use a different set of information.** Results are based on where the species is believed to or known to occur. The FWS feels utilizing this data set is a better representation of species occurrence. Note: there may be other federally listed species that are not currently known or expected to occur in this state but are covered by the ESA wherever they are found; Thus if new surveys detected them in this state they are still covered by the ESA. The FWS is using the best information available on this date to generate this list.
- This report shows listed species or populations believed to or known to occur in OR
- This list does not include experimental populations and similarity of appearance listings.
- Click on the highlighted scientific names below to view a Species Profile.

Listed Species

Sort by group:



Show entries

Search:

45 Species Listings

Scientific Name	Common Name	Where Listed	Region	ESA Listing Status
Amphibians				
Rana pretiosa	Oregon spotted frog	Wherever found	1	Threatened
Birds				

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Gymnogyps californianus</u>	California condor	Pacific Northwest NEP	8	Experimental Population, Non-Essential
<u>Pterodroma sandwichensis</u>	Hawaiian petrel	Wherever found	1	Endangered
<u>Brachyramphus marmoratus</u>	Marbled Murrelet	U.S.A. (CA, OR, WA)	1	Threatened
<u>Strix occidentalis caurina</u>	Northern spotted owl	Wherever found	1	Threatened
<u>Phoebastria (=Diomedea) albatrus</u>	Short-tailed albatross	Wherever found	7	Endangered
<u>Eremophila alpestris strigata</u>	Streaked Horned lark	Wherever found	1	Threatened
<u>Charadrius nivosus nivosus</u>	Western Snowy Plover	Pacific Coast population DPS- U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast)	8	Threatened
<u>Coccyzus americanus</u>	Yellow-billed Cuckoo	Western U.S. DPS	2	Threatened
Conifers and Cycads				
<u>Pinus albicaulis</u>	Whitebark pine	Wherever found	6	Threatened
Crustaceans				
<u>Branchinecta lynchi</u>	Vernal pool fairy shrimp	Wherever found	8	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Lepidurus packardi</u>	Vernal pool tadpole shrimp	Wherever found	8	Endangered
Fishes				
<u>Salvelinus confluentus</u>	Bull Trout	U.S.A., coterminous, lower 48 states	1	Threatened
<u>Gila bicolor ssp.</u>	Hutton tui chub	Wherever found	1	Threatened
<u>Oncorhynchus clarkii henshawi</u>	Lahontan cutthroat trout	Wherever found	8	Threatened
<u>Deltistes luxatus</u>	Lost River sucker	Wherever found	8	Endangered
<u>Chasmistes brevirostris</u>	Shortnose Sucker	Wherever found	8	Endangered
<u>Eucyclogobius newberryi</u>	Tidewater goby	Wherever found	8	Endangered
<u>Catostomus warnerensis</u>	Warner sucker	Wherever found	1	Threatened
Flowering Plants				
<u>Astragalus applegatei</u>	Applegate's milk-vetch	Wherever found	8	Endangered
<u>Lomatium cookii</u>	Cook's lomatium	Wherever found	1	Endangered
<u>Fritillaria gentneri</u>	Gentner's Fritillary	Wherever found	1	Endangered
<u>Thelypodium howellii ssp. spectabilis</u>	Howell's spectacular thelypody	Wherever found	1	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Lupinus sulphureus ssp. kincaidii</u>	Kincaid's Lupine	Wherever found	1	Threatened
<u>Limnanthes pumila ssp. grandiflora</u>	Large-flowered woolly meadowfoam	Wherever found	1	Endangered
<u>Mirabilis macfarlanei</u>	MacFarlane's four-o'clock	Wherever found	1	Threatened
<u>Stephanomeria malheurensis</u>	Malheur wire-lettuce	Wherever found	1	Endangered
<u>Arabis macdonaldiana</u>	McDonald's rock-cress	Wherever found	8	Endangered
<u>Plagiobothrys hirtus</u>	rough popcornflower	Wherever found	1	Endangered
<u>Phacelia argentea</u>	Sand dune phacelia		1	Threatened
<u>Orcuttia tenuis</u>	Slender Orcutt grass	Wherever found	8	Threatened
<u>Lepidium papilliferum</u>	Slickspot peppergrass		1	Threatened
<u>Silene spaldingii</u>	Spalding's Catchfly	Wherever found	1	Threatened
<u>Lilium occidentale</u>	Western lily	Wherever found	8	Endangered
<u>Erigeron decumbens</u>	Willamette daisy	Wherever found	1	Endangered
Insects				

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Icaricia icarioides fenderi</u>	Fender's blue butterfly	Wherever found	1	Threatened
<u>Bombus franklini</u>	Franklin's bumble bee	Wherever found	1	Endangered
<u>Speyeria zerene hippolyta</u>	Oregon silverspot butterfly	Wherever found	1	Threatened
<u>Euphydryas editha taylori</u>	Taylor's (=whulge) Checkerspot	Wherever found	1	Endangered
Mammals				
<u>Odocoileus virginianus leucurus</u>	Columbian white-tailed deer	Columbia River DPS	1	Threatened
<u>Canis lupus</u>	Gray wolf	U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.	6	Endangered
<u>Gulo gulo luscus</u>	North American wolverine	Wherever found	6	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Martes caurina</u>	Pacific Marten, Coastal Distinct Population Segment	Wherever found	8	Threatened
Reptiles				
<u>Lepidochelys olivacea</u>	Olive ridley sea turtle	Wherever found, except when listed as endangered under 50 CFR 224.101	1	Threatened
Snails				
<u>Physella natricina</u>	Snake River physa snail	Wherever found	1	Endangered

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OR 97232-1274

Refer to NMFS No:
WCRO-2021-00004

January 29, 2021

Phillip A. Ditzler
Oregon Division Administrator
Federal Highway Administration
530 Center Street, Suite 420
Salem, Oregon 97301

Re: Reinitiation of the Endangered Species Act Programmatic Biological Opinion and Magnuson-Stevens Act Essential Fish Habitat Response for the Federal-Aid Highway Program in the State of Oregon (FAHP)

Dear Mr. Ditzler:

Thank you for your letter of January 5, 2021, requesting reinitiation of consultation with NOAA's National Marine Fisheries Service (NMFS) pursuant to section 7 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 et seq.) on the effects of the Oregon Division of the Federal Highways Administration's proposal to use the Federal Aid Highway Program to fund, in whole or in part, capital improvements of the transportation system in the State of Oregon, including aquatic habitat restoration and fish passage projects, through a system of Federal grants that are apportioned by legislative formulas, at the discretion of the FHWA, or by Congressional earmark, as governed by Title 23 of the United State Code.

Thank you, also, for your request for consultation pursuant to the essential fish habitat (EFH) provisions in Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA)(16 U.S.C. 1855(b)) for this action.

In this biological opinion, NMFS concludes that the proposed action is not likely to jeopardize the continued existence of the following 17 species, or result in the destruction or in adverse modification of their designated critical habitats.

1. Lower Columbia River (LCR) Chinook salmon (*Oncorhynchus tshawytscha*)
2. Upper Willamette River (UWR) Chinook salmon
3. Upper Columbia River (UCR) spring-run Chinook salmon
4. Snake River (SR) spring/summer run Chinook salmon
5. SR fall-run Chinook salmon
6. Columbia River (CR) chum salmon (*O. keta*)
7. LCR coho salmon (*O. kisutch*)
8. Oregon Coast (OC) coho salmon
9. Southern Oregon/Northern California Coasts (SONCC) coho salmon
10. SR sockeye salmon (*O. nerka*)
11. LCR steelhead (*O. mykiss*)



12. UWR steelhead
13. MCR steelhead
14. UCR steelhead
15. Snake River Basin (SRB) steelhead
16. Southern green sturgeon (*Acipenser medirostris*)
17. Eulachon (*Thaleichthys pacificus*)

NMFS also concludes that the proposed action is also not likely to adversely affect southern resident killer whales (*Orcinus orca*). Southern resident killer whales do not have critical habitat designated in the program action area.

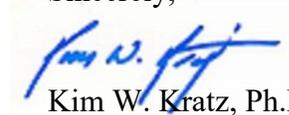
As required by section 7 of the ESA, NMFS is providing an incidental take statement with the opinion. The incidental take statement describes the reasonable and prudent measures NMFS considers necessary or appropriate to minimize the impact of incidental take associated with this program, and also sets forth nondiscretionary terms and conditions, including reporting requirements, that the Federal Highway Administration must comply with to carry out the reasonable and prudent measures. Incidental take from actions that meet these terms and conditions will be exempt from the ESA's prohibition against the take of the listed species considered in this opinion.

This document also includes the results of our analysis of the action's likely effects on essential fish habitat (EFH) pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and includes three conservation recommendations to avoid, minimize, or otherwise offset potential adverse effects on EFH. Two of those conservation recommendations is a subset of the ESA take statement's terms and conditions. Section 305(b) (4) (B) of the MSA requires Federal agencies to provide a detailed written response to NMFS within 30 days after receiving these recommendations. If the response is inconsistent with the EFH conservation recommendations, the Federal action agency must explain why the recommendations will not be followed, including the scientific justification for any disagreements over the effects of the action and the recommendations.

In response to increased oversight of overall EFH program effectiveness by the Office of Management and Budget, NMFS established a quarterly reporting requirement to determine how many conservation recommendations are provided as part of each EFH consultation and how many are adopted by the action agency. Therefore, we request that in your statutory reply to the EFH portion of this consultation, you clearly identify the number of conservation recommendations accepted.

Please contact Kate Wells, Acting Willamette Branch Chief, in the Oregon Washington Coastal Office at 941.932.1234 or at kathleen.wells@noaa.gov if you have any questions concerning this section 7 consultation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim W. Kratz".

Kim W. Kratz, Ph.D
Assistant Regional Administrator
Oregon Washington Coastal Office

cc: Cindy Callahan, Federal Highway Administration
Cash Chesselet, Oregon Department of Transportation
Tom Loynes, Oregon Department of Transportation
Susan Haupt, Oregon Department of Transportation
John Raasch, Oregon Department of Transportation



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
Portland, OR 97232

Refer to NMFS No:
WCR-2016-4853

July 25, 2016

Margaret Solle Salazar
U.S. Department of Housing and Urban Development
Oregon State Office
1200 SW 3rd Avenue, Suite 400
Portland, Oregon 97204

Re: Endangered Species Act Section 7 Formal Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the U.S. Department of Housing and Urban Development Housing Programs in Oregon.

Dear Ms. Salazar:

The enclosed document contains a programmatic biological opinion (opinion) prepared by the National Marine Fisheries Service (NMFS) pursuant to section 7(a) (2) of the Endangered Species Act (ESA or “the Act”) on the effects of U.S. Department of Housing and Urban Development (HUD) programs that authorize or fund the development and/or redevelopment of housing and community buildings in Oregon described in 24 CFR Part 50 and actions under 24 CFR Part 58, where Responsible Entities assume responsibility for environmental review, including ESA compliance.

During this consultation, NMFS concluded that the proposed programs are not likely to jeopardize the continued existence of the following 17 species, or result in the destruction or adverse modification of their designated critical habitats.

1. Lower Columbia River (LCR) Chinook salmon (*Oncorhynchus tshawytscha*)
2. Upper Willamette River (UWR) Chinook salmon
3. Upper Columbia River (UCR) Chinook salmon
4. Snake River (SR) spring/summer-run Chinook salmon
5. SR fall-run Chinook salmon
6. Columbia River (CR) chum salmon (*O. keta*)
7. LCR coho salmon (*O. kisutch*)
8. Oregon Coast (OC) coho salmon
9. Southern Oregon/Northern California Coasts (SONCC) coho salmon
10. SR sockeye salmon (*O. nerka*)
11. LCR steelhead (*O. mykiss*)
12. UWR steelhead
13. Middle Columbia River (MCR) steelhead
14. UCR steelhead



15. Snake River Basin (SRB) steelhead
16. Southern distinct population segment (DPS) green sturgeon (*Acipenser medirostris*)
17. Southern DPS eulachon (*Thaleichthys pacificus*)

As required by section 7 of the ESA, NMFS is providing an incidental take statement (ITS) with the opinion. The ITS describes reasonable and prudent measures NMFS considers necessary or appropriate to minimize the impact of incidental take associated with this program. The ITS also sets forth nondiscretionary terms and conditions, including reporting requirements, that the Federal action agency must comply with to carry out the reasonable and prudent measures.

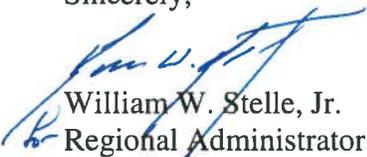
Incidental take from actions that meet these terms and conditions will be exempt from the ESA's prohibition against the take of the listed species considered in this opinion, except eulachon because NMFS has not yet promulgated an ESA section 4(d) rule prohibiting take of threatened eulachon. However, anticipating that such a rule may be issued in the future, we have included terms and conditions to minimize take of eulachon. These terms and conditions are identical to the terms and conditions required to minimize take of listed salmon and steelhead. Therefore, we expect HUD would follow these terms and conditions regardless of whether take of eulachon is prohibited. The take exemption for eulachon will take effect on the effective date of any future 4(d) rule prohibiting take of eulachon.

This document also includes the results of our analysis of the action's likely effects on essential fish habitat (EFH) pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and includes two conservation recommendations to avoid, minimize, or otherwise offset potential adverse effects on EFH. Section 305(b) (4) (B) of the MSA requires Federal agencies to provide a detailed written response to NMFS within 30 days after receiving these recommendations.

If the response is inconsistent with the EFH conservation recommendations, HUD must explain why it will not follow the recommendations, including the scientific justification for any disagreements over the effects of the action and the recommendations. In response to increased oversight of overall EFH program effectiveness by the Office of Management and Budget, NMFS established a quarterly reporting requirement to determine how many conservation recommendations NMFS provide as part of each EFH consultation and how many are adopted by the action agency. Therefore, we request that in your statutory reply to the EFH portion of this consultation, you clearly identify the number of conservation recommendations accepted.

If you have questions regarding this consultation, please contact Marc Liverman of my staff at 503-231-2336, in the Washington/Oregon Coast Office.

Sincerely,



William W. Stelle, Jr.
Regional Administrator

cc: Deborah Peavler-Stewart, HUD
Sara Jensen, HUD

Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon

Prepared in collaboration with the U.S. Fish and Wildlife Service and the National
Marine Fisheries Service

General Requirements	Legislation	HUD Regulations
Section 7(a)(2) of the Endangered Species Act mandates that actions that are authorized, funded, or carried out by Federal agencies do not jeopardize the continued existence of plants and animals that are listed, or result in the adverse modification or destruction of designated critical habitat.	The Endangered Species Act of 1973; 16 U.S.C. 1531 et seq.	24 CFR 58.5(e) 24 CFR 50.4(e)
Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Federal agencies to consult with NOAA Fisheries on any action that they authorize, fund, or undertake that may adversely affect essential fish habitat (EFH).	Magnuson-Stevens Fishery Conservation and Management Act; 16 U.S.C. 1801	

The purpose of this document is to assist the U.S. Department of Housing and Urban Development (HUD) and their responsible entities¹ (REs) in meeting their compliance and documentation obligations under the Endangered Species Act (ESA) and the Magnuson-Stevens Fisheries Conservation and Management Act (MSA). The ESA is administered jointly by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) [collectively, “the Services”], while the MSA is administered solely by the NMFS. Nearly all HUD projects, including HUD funded, financed, subsidized, or guaranteed projects constitute a federal action requiring project review for compliance with the ESA and MSA.

The ESA requires all federal agencies to use their authorities to help conserve “*listed species*” (i.e., those listed as “*threatened*” or “*endangered*” under the ESA). Therefore, as HUD staff or designated REs, you are responsible for minimizing the effects of your actions on ESA-listed species, designated critical habitat, and habitats identified in recovery plans. An ESA effects analysis must consider all effects to ESA-listed species and designated critical habitat caused by a proposed action. Few HUD actions occur within designated critical habitat, where direct injury or harm to ESA-listed species or critical habitat is likely to occur or easy to discern. More often, however, some types of HUD projects have the potential to effect ESA-listed species and their critical habitats that are far removed from the actual project location.

The MSA requires federal agencies to evaluate the effect of their actions on habitats used by a range of marine species that are commercially harvested. These habitats are identified as “essential fish habitat” (EFH).² In many cases, projects that have the potential to affect critical habitat designated under the ESA have similar effects on EFH, particularly with respect to Chinook and coho salmon, which are regulated species under both the ESA and MSA. Project assessment for ESA and MSA impacts are typically conducted concurrently, as the species and habitats regulated by both acts tend to overlap.

This document is intended to describe the circumstances under which a finding of “*no effect*” on ESA- and MSA-regulated species, their critical habitats, and EFH occurring in Oregon might be appropriate. A project that reaches a finding of “*no effect*” does not require coordination with, or approval from, the USFWS and NMFS, and documenting a finding of “*no effect*” satisfies the ESA/MSA review obligations by HUD. Note that, a finding of “*no effect*” would preclude NMFS or USFWS issuing liability protection for violations of the ESA,

¹ A Responsible entity is a unit of local government (state, county, city) designated by HUD under 24 Code of Federal Regulations (CRF) Part 58.

² Essential Fish Habitat (EFH) has been designated for Pacific salmon (Chinook, coho, and pink salmon), coastal pelagic species, groundfish, and highly migratory species.

and is based on the premise the project would not result in the take³ of an ESA-listed species or result in adverse effects to critical habitat/EFH. However, if this determination is made in error, or if take does occur, HUD or the RE bears liability for such take.

HUD or the RE is solely responsible for making a finding of effect for a project and cannot defer responsibility to an external party. USFWS and NMFS rarely issue any correspondence for a “no effect” finding, except when there is strong disagreement about that finding. If you make a “no effect” finding for your project, document the circumstances and reason for your decision in a memo to the project file, as this will aid HUD should the project be reviewed internally or by another party. The worksheets presented in Part A and Part B of this document should be included in a project’s Environmental Review Record to document what finding of effect was reached. Since USFWS and NMFS manage and regulate different species and habitats, it is entirely possible to reach a different finding of effect for each Service.

Making an appropriate effects determination for both the ESA and MSA is an essential part of carrying out HUD’s obligation to use its federal authority to help conserve listed species. While there are a great number of HUD activities that will have “no effect” on federally-listed species, designated critical habitat, and EFH, there are a number of activities that will require further analysis, documentation, and consultation with USFWS and/or NMFS. As there are minor variations in process, this guidance is separated into multiple parts:

- Part A** Describes the “no effect” determination process for species and habitats under USFWS’ jurisdiction;
- Part B** Describes the “no effect” determination process for species and habitats under NMFS’ jurisdiction;
- Part C** Describes the process to initiate consultation with USFWS and/or NMFS if you are unable to reach a “no effect” finding for your project, and provides contact information for staff that can provide technical assistance in initiating the ESA consultation process;
- Part D** Includes a glossary of terminology frequently used when discussing the ESA and MSA.

Part A: Consultation with the U.S. Fish and Wildlife Service (USFWS)

USFWS’ trust resources are found in a wide range of habitats throughout Oregon, including forests, wetlands, bogs, rivers, lakes, reservoirs, coastal dunes, estuaries, grasslands, prairies, shrub-steppe, and mountains. USFWS species listed or proposed for listing under the ESA that are found in Oregon include plants, insects, mollusks, crustaceans, birds, mammals, reptiles, and amphibians. Project concerns for ESA-species under USFWS’ jurisdiction largely focus on preventing the destruction or loss of sensitive habitats (e.g., wetlands, prairie, oak savanna) that support ESA-listed species for all or part of their life history. Additional concerns include minimizing the adverse effects from construction and operation (e.g., noise, light, vibrations) that could temporarily or permanent impact habitats occupied by ESA-listed species, reducing the suitability of such habitats and/or disrupting essential life-stage activities of a listed species (e.g., nesting, feeding, migration). The following two steps will assist you in making a finding of effect for your project.

Step 1: Obtain Species List & Determine Critical Habitat

You must obtain a species list for the entire action area of your project. The action area encompasses all of the effects of the project, not just those that occur within the construction footprint. Project effects that extend beyond the project site itself and may include noise, air pollution, water quality, stormwater discharge, and visual disturbances. Additionally, effects to habitat must be considered, including the project’s effects on

³ “Take” of a listed species is defined as, “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” [50 CFR 402.02]

roosting, feeding, nesting, spawning and rearing habitat, overwintering sites, and migratory corridors.

Go to <https://ipac.ecosphere.fws.gov/> and log in or create an account to generate an official species list for the project area. Please note that this list includes listed, *proposed* and *candidate species* and designated and *proposed* critical habitats; consideration of project effects on *candidate species* is optional, unless the project's effects are very large (in this case, contact the local USFWS field office). However, *proposed species* or critical habitats may become listed as endangered or threatened species during the period of construction; a project with a protracted development schedule may opt to address *proposed species* as a way to reduce the potential need to reinitiate consultation with the USFWS, should the status of the *proposed species* or critical habitat be upgraded to threatened or endangered. If you have questions, contact the appropriate USFWS field office⁴ to discuss the species list for your area.

Step 2: Determine Effect

Question 1: Will the project's effects overlap with federally-listed or proposed species or designated or proposed critical habitat covered by USFWS?

Consider all effects of the project within the action area. The action area encompasses all the effects of the project, including those that occur beyond the boundaries of the property (such as noise, air pollution, water quality, stormwater discharge, visual disturbance).

- NO, the project and all effects are outside the range of ESA-listed or proposed species and designated or proposed critical habitat covered by USFWS.** Therefore, the project will have **No Effect** on ESA-listed or proposed species or designated critical habitat.
- Record your finding of **No Effect** on species or habitats covered by USFWS, and include this documentation in your Environmental Review Record.
 - Attach a statement explaining how you determined that your project's effects do not overlap with species or habitat covered by USFWS.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- YES, project effects may overlap with ESA-listed or proposed species or designated or proposed critical habitat covered by USFWS.** Therefore, your project could affect ESA-listed species and habitat.
- Continue to Question 2.

Question 2: Will the project occur on a previously developed site?⁵

- YES, the project site has been, or currently is, developed.** Therefore, the project will have **No Effect** on ESA-listed or proposed species and/or designated or proposed critical habitat.
- Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, include in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project's effects do not impact species or habitat covered by USFWS.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- NO, the project occurs on land that is not currently or has not been previously developed.**
- Continue to Question 3.

⁴ <https://www.fws.gov/office/oregon-fish-and-wildlife/contact-us>

⁵ Previously developed land typically includes land that has had structures or other features of the built environment (e.g., parking areas, roads, buildings) constructed upon it such that the land does not offer suitable habitat for wildlife. Land that was previously used for agricultural or timber production are **not** considered "previously developed."

Question 3: Is the project activity listed in Table 1 (following page) and does it meet all of the required parameters?

- YES, the activity is listed in Table 1 and meets all of the required parameters.** Therefore, the project will have **No Effect** on ESA-listed or proposed species and/or designated or proposed critical habitat.
 - Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project met the required parameters in Table 1.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- NO, the project description does not match the activities in Table 1 and all of the specified criteria listed.**
 - Continue to Question 4.

Question 4: Do you have some other basis for a No Effect determination, for example a biological assessment or other documentation from a qualified professional?⁶

- YES, the project has professional documentation for a finding of No Effect.**
 - Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, and include in your Environmental Review Record.
 - Attach the biological assessment or other professional documentation.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- NO, the project does not have professional documentation for a finding of No Effect and May Affect a listed species and/or critical habitat.**
 - The project **May Affect** listed or proposed species, or designated or proposed critical habitat. Consultation with the USFWS may be required. CONTACT THE USFWS TO DETERMINE THE APPROPRIATE EFFECTS DETERMINATION AND LEVEL OF CONSULTATION REQUIRED. Contact info is located in Part C.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.

Table 1: Potential No Effect Categories and Required Criteria

Purchase building or property:

- Does not change footprint of existing structures.
- Does not create new impervious surface area, either constructed or reconstructed.
- Does not involve ground disturbing activities.⁷

⁶ A “qualified professional” is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project’s action area.

⁷ Studies or surveys that do not require soil/ground disturbance are allowed. Wetland delineation, soil infiltration testing, and geotechnical drilling/boring are permitted.

Landscaping maintenance / improvement:

- Access and staging, source sites, and disposal sites have been assessed as part of the action.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.⁸
- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Pesticides or herbicides shall not be applied within 150 feet of an aquatic resource.
- Pesticides or herbicides shall not be applied if precipitation is predicted in upcoming 24 hours.
- Outside lighting should be directed downward to the ground and lighting must not illuminate aquatic resources occupied by ESA-listed species.
- Does not increase the amount of impervious surface.
- Removal/maintenance of hazard trees⁹ or similar vegetation is permitted, provided that the removal occurs outside of the breeding season (April 1 through August 31) and a qualified professional has documented that the tree does not provide habitat for ESA-listed species.¹⁰ In addition, an equivalent number of trees appropriate to the location are replaced.¹¹
- Does not result in wetland fill.

Interior rehabilitation:

- Applies only to existing structures.
- Access and staging, and source sites, have been assessed as part of the proposed action and occurs on previously developed land. The sites are located at least 150 feet away from any aquatic resources and include BMPs to prevent discharge of contaminants entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.).
- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

⁸ An aquatic resource, for the purposes of this opinion, includes: streams, rivers, ponds, lakes, wetlands, estuaries, or bays. The marine environment is not considered an aquatic resource, for the purposes of this guidance.

⁹ A "hazard tree" is a tree that has a structural defect that creates a risk of failure and resulting damage to people or property.

¹⁰ A "qualified professional" is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project's action area.

¹¹ An "appropriate tree" is one that will be the correct size and species for the specific location and that the selected location is appropriate for the selected tree species at maturity. An arborist can recommend an appropriate species for replacement.

Exterior repairs or improvements of existing structures:

- Does not increase the amount of impervious surface.
- Does not install, repair, or replace exterior artificial lighting on properties adjacent to aquatic resources that support ESA-listed species.
- All exterior lighting is directed downward to the ground.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.¹²
- Special projects directed to the removal of material or architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities (e.g., curb cuts, wheelchair ramps, or similar) do not impact areas of natural habitat, including wetlands or riparian areas, and all activities comply with state and local building codes and stormwater regulations.
- Does not result in wetland fill.
- Does not result in discharges of new or additional sources of stormwater to wetlands or waterbodies.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an approved sanitary or hazardous waste disposal site.

New construction or addition:

- Does not increase the amount of impervious surface.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.
- Does not result in wetland fill.
- Will not impact an area of natural habitat, including wetlands or riparian areas.
- Complies with all state and local building codes and stormwater regulations.
- Does not result in discharges of new or additional sources of stormwater to wetlands or waterbodies.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

¹² An aquatic resource, for the purposes of this opinion, includes: streams, rivers, ponds, lakes, wetlands, estuaries, or bays. The marine environment is not considered an aquatic resource, for the purposes of this guidance.

Part B: Consultation with the National Marine Fisheries Service (NMFS)

As stated in the introduction, few HUD actions occur within the designated critical habitat of NMFS-managed species, where direct injury or harm to an ESA-listed species or destruction of critical habitat/EFH is likely to occur. However, there are often affects from many HUD projects that occur outside the construction site or property boundaries of a given project, which can reach critical habitat/EFH and effect listed species. By far, the largest concern for NMFS is the generation of stormwater runoff from new or redeveloped impervious surfaces (e.g., concrete, asphalt, roofing materials, compacted gravel).

Impervious surfaces prevent precipitation from absorbing into the soil, resulting in runoff into storm drains and waterways. Stormwater runoff can transport pollutants (e.g., soil, fertilizer, metals, pesticides, tire particles) that degrade water quality in streams, lakes, reservoirs, and rivers where ESA-listed/MSA species occur. Many of these pollutants persist for years in the environment and can be transported downstream hundreds of miles from their point of origin. Pollutants can also make their way into the food chain where they can harm listed species and degrade habitat suitability. Of particular concern are dissolved metals and tire particulates. Dissolved metals can be generated from the wearing of a vehicle's brake pads and certain types of metal roofing and siding. Dissolved metals can be carried hundreds of miles downstream and interfere with listed salmon and steelhead's ability to navigate back to their spawning streams, among a range of other sub-lethal effects. Rubber particulate matter is generated from the wearing of a vehicle's tires and can leach compounds into the aquatic environment that have both lethal and sub-lethal effects on listed fish.

Additionally, impervious surfaces interrupt the natural cycle of rainwater infiltration into soil by diverting large volumes of runoff into streams, wetlands, rivers, and lakes. When this occurs, the volume and velocity of stormwater discharge to a receiving water can result in adverse hydromodification: the degradation of aquatic systems as a result of changes to the physical condition of a waterbody. Stormwater runoff can cause stream channel erosion, loss of habitat features required by listed species (e.g., large wood, spawning gravels), direct injury to aquatic species, and the incremental loss of overall habitat quality.

Many HUD projects result in the creation or redevelopment of impervious surfaces (e.g., roadways, sidewalks, parking lots, building roofs), assessment of stormwater runoff from a project is the most likely way that you will interact with NMFS and the ESA-listed/MSA species and habitats under their authority. Additional guidance of NMFS' stormwater treatment and management criteria can be found in the appendices of the programmatic biological opinion issued by NMFS for HUD projects in Oregon.¹³

The following steps will assist you in making a finding of effect for your project.

Step 1: Obtain Species List & Determine Critical Habitat / Essential Fish Habitat

NMFS' trust resources occur primarily in the marine environment; however, these resources include a number of ESA-listed fish species that spend a portion of their lives in inland, freshwater streams, rivers, reservoirs, and lakes. Additionally, through the MSA, NMFS manages a number of groundfish species that spend a portion of their lives in river estuaries and bays. Most watersheds in Oregon are within or upstream of a waterbody occupied by an ESA-listed species or designated as critical habitat/EFH.¹⁴ As stormwater pollutants can be transported downstream and can persist in the environment, all projects that discharge post-construction stormwater have the potential to effect ESA-listed and MSA species and critical habitat/EFH. NMFS considers discharge of post-construction stormwater an **Adverse Effect** on these species and habitats. With few

¹³ National Marine Fisheries Service (NMFS). 2016. Endangered Species Act Section 7 Formal Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the U.S. Department of Housing and Urban Development Housing Programs in Oregon. West Coast Region. Portland, Oregon. July 25, 2016. [\[Insert link to appendices on HUD website or NMFS repository\]](#)

¹⁴ Exceptions include watersheds in: Harney, Klamath, Lake, and Malheur counties.

exceptions, discharge of post-construction stormwater extends from its point of origin to the nearest receiving water, then downstream, terminating at the Pacific Ocean.¹⁵ This means that most HUD projects that create new impervious surface area or replace existing impervious surface area are likely to have an adverse effect on NMFS listed species and critical habitat/EFH. Note that an **Adverse Effect** finding for a project does not necessarily preclude construction of the project, only that additional measure may be required in order to ensure the project’s effects do not jeopardize listed species or adversely modify critical habitat/EFH.

Table 2 identifies the ESA-listed species under NMFS’ jurisdiction that may be affected by your project; simply identify the area of the state in which your project occurs and see the ESA-listed species and critical habitat that may be affected. Figure 1, following page, depicts the geographic extent of NMFS’ ESA-listed species and critical habitat occurrence in Oregon.

Table 2: NMFS’ ESA-Listed Species & Critical Habitat Designations in Oregon		
Oregon Coast (Middle/Northern)¹⁶	Columbia River Basin	
Coho Salmon	Chinook Salmon	Sockeye Salmon
Oregon Coast Coho Salmon	Lower Columbia River	Snake River sockeye salmon
Southern Green Sturgeon	Upper Columbia River spring-run	Steelhead Trout
Southern Eulachon	Snake River spring/summer-run	Upper Columbia River
	Snake River fall-run	Lower Columbia River
Oregon Coast (Southern)¹⁷	Upper Willamette River	Middle Columbia River
Coho Salmon	Chum Salmon	Snake River basin
Southern Oregon-Northern California Coast Coho	Columbia River chum	Upper Willamette River
Southern Green Sturgeon	Coho Salmon	Southern Green Sturgeon
Southern Eulachon	Lower Columbia River coho	Southern Eulachon

Should you desire more specificity, NMFS maintains GIS data¹⁸ for the range and distribution of listed species and a web-based map application for identifying designated critical habitat and EFH.¹⁹ Familiarity with web-based GIS applications will be necessary to utilize these resources.

Essential fish habitat is the same throughout the state. If your project will discharge stormwater that reaches a receiving water, your project may adversely modify EFH for Pacific Salmon and Groundfish.

Oregon counties where ESA-listed species and critical habitat do not occur include: Harney, Klamath, Lake, and Malheur counties. Projects occurring in these counties are assumed to have “no effect” as the areas are inaccessible to species under NMFS’ jurisdiction. There is currently uncertainty as to whether stormwater pollutants can be transported through major reservoirs in the Snake and Klamath rivers at concentrations sufficient to have an effect on downstream listed species and habitats. Please note that the counties listed above are only excluded from NMFS’ managed species and habitats and that ESA-listed species and critical habitat under USFWS’ jurisdiction may be present, so remember to complete Part A of this guidance.

If you need to assistance confirming whether your action is in proximity to ESA-listed salmon or steelhead, designated critical habitat, or EFH, please contact the appropriate NMFS office, identified in Part C

¹⁵ Exceptions to this finding are identified in Table 4.

¹⁶ Extending from Cape Blanco north to the mouth of the Columbia River.

¹⁷ Extending from Cape Blanco south to the California border.

¹⁸ <https://www.fisheries.noaa.gov/resource/map/species-ranges-salmon-and-steelhead-west-coast-region>

¹⁹ Protected Resources App:
<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aacc9>

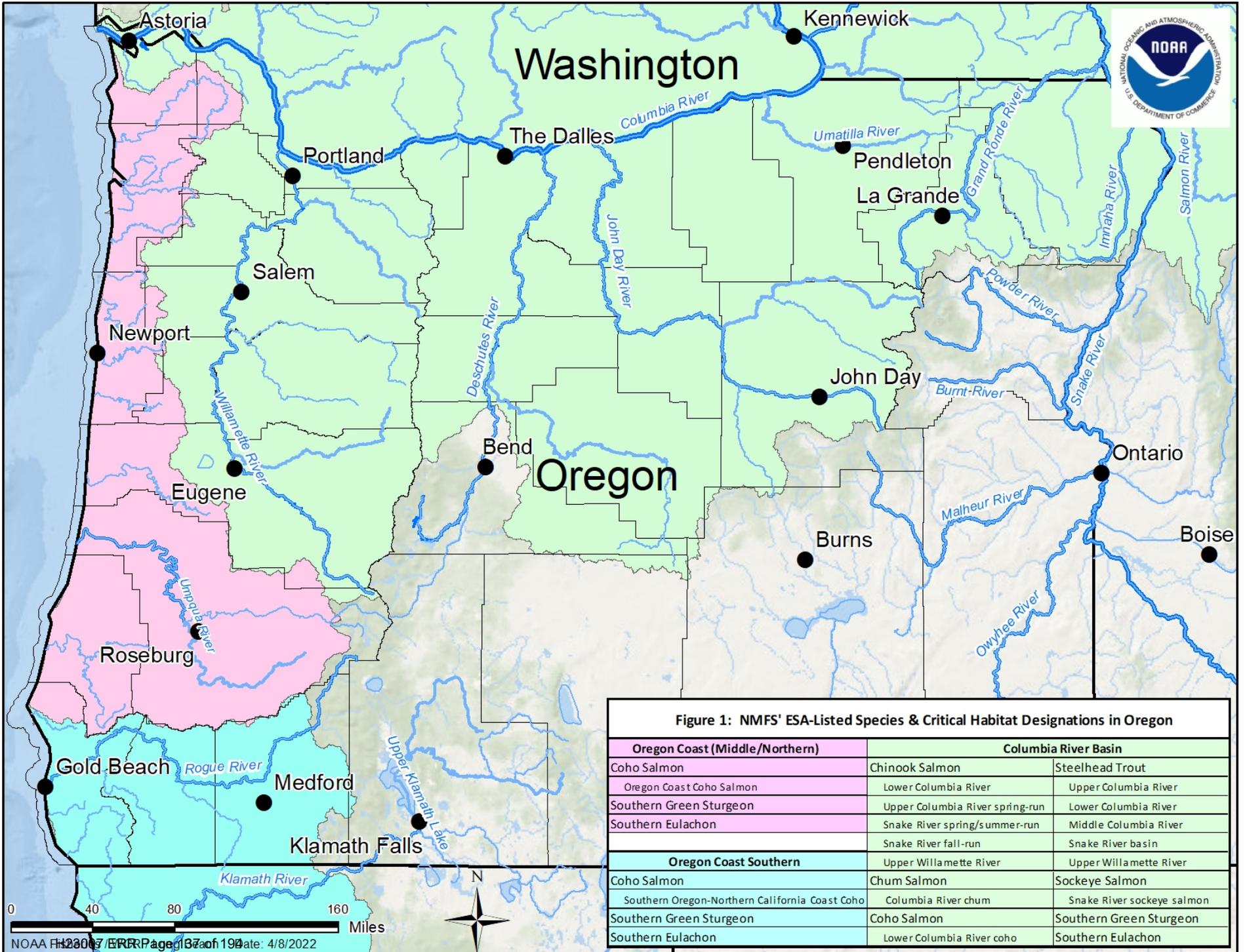


Figure 1: NMFS' ESA-Listed Species & Critical Habitat Designations in Oregon

Oregon Coast (Middle/Northern)	Columbia River Basin	
Coho Salmon	Chinook Salmon	Steelhead Trout
Oregon Coast Coho Salmon	Lower Columbia River	Upper Columbia River
Southern Green Sturgeon	Upper Columbia River spring-run	Lower Columbia River
Southern Eulachon	Snake River spring/summer-run	Middle Columbia River
	Snake River fall-run	Snake River basin
Oregon Coast Southern	Upper Willamette River	Upper Willamette River
Coho Salmon	Chum Salmon	Sockeye Salmon
Southern Oregon-Northern California Coast Coho	Columbia River chum	Snake River sockeye salmon
Southern Green Sturgeon	Coho Salmon	Southern Green Sturgeon
Southern Eulachon	Lower Columbia River coho	Southern Eulachon

Step 2: Determine Effect

Question 1: Will the project's effects overlap with federally listed or proposed species, designated or proposed critical habitat, and/or essential fish habitat covered by NMFS?

Note that project effects include those that extend beyond the project site itself, such as noise, water quality, stormwater discharge, visual disturbance; habitat assessment must include consideration for feeding, spawning, rearing, overwintering sites, and migratory corridors.

- NO, the project and all effects are outside the range of listed species and critical habitat covered by NMFS.** Therefore, the project will have **No Effect** on ESA-listed or proposed species or designated critical habitat/EFH.
- Record your determination of **No Effect** on species or habitats covered by NMFS.
 - Maintain documentation in your Environmental Review Record. For example, a map showing that your project is not in or upstream of a watershed of a listed species.
- YES, project effects may overlap with ESA-listed species or designated critical habitat covered by NMFS.**
- Continue to Question 2.

Question 2: Is the project activity listed in Table 3 (following page) and does it meet all of the required parameters?

- YES, the activity is listed in Table 3 and meets all the required parameters.** Therefore, the project will have **No Effect** on ESA-listed species and/or designated critical habitat/EFH.
- Record your determination of **No Effect** and maintain this documentation, including a species list and map of your project location, in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project meets the required parameters in Table 3.
- NO, the activity does not match those described in Table 3 and all of the specified parameters.**
- Continue to Question 3.

Question 3: Do you have some other basis for a **No Effect** determination, for example a biological assessment or other documentation from a qualified professional?²⁰

- YES, the project has professional documentation for a **No Effect** determination.**
- Record your determination of **No Effect** and maintain this documentation, including a species list and map of your project location, in your Environmental Review Record.
 - Attach the biological assessment or other professional documentation.
- NO, the project does not have professional documentation supporting a **No Effect** determination.**
- YOU MUST INITIATE SECTION 7 CONSULTATION WITH NMFS.
 - *Your project may qualify for inclusion under the Programmatic Biological Opinion for HUD Housing Projects in Oregon.* See Part C for additional details.
 - Contact information for NMFS offices provided in Part C.

²⁰ A "qualified professional" is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project's action area.

Table 3: Potential *No Effect* Categories and Required Criteria**Purchase building or property and:**

- Does not change existing structures.
- Does not create new impervious surface area, either constructed or reconstructed.
- Does not modify existing stormwater collection or drainage patterns.
- Does not involve ground disturbing activities/construction.²¹

Landscaping maintenance/improvement:

- Does not remove riparian²² vegetation or trees within 150 feet of an aquatic resource.²³
- Does not increase hardscape area unless an equal area of impervious surface area is converted to pervious surface.

Specific landscaping maintenance/improvement criteria:

- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Pesticides or herbicides shall not be applied within 150 feet of an aquatic resource.²⁰
- Pesticides or herbicides shall not be applied if precipitation is predicted in upcoming 24 hours.
- Outside lighting shall not illuminate aquatic resources occupied by ESA-listed species.
- Installation/maintenance of sprinkler irrigation systems shall be installed and maintained so that spray is directed away from pollution generating impervious surfaces.²⁴
- Removal/maintenance of hazard trees²⁵ or similar vegetation is permitted, so long as an equivalent number of trees appropriate to the location are replaced.^{26,27}

Interior rehabilitation:

- Applies only to existing structures.
- Access and staging, and source sites, have been assessed as part of the proposed action. The sites are located at least 150 feet away from any aquatic resources and include BMPs to prevent discharge of contaminants entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). No plantings of invasive species.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

²¹ Studies or surveys that do not require soil/ground disturbance are allowed. Wetland delineation, soil infiltration testing, and geotechnical drilling/boring are permitted.

²² Riparian zones are the areas bordering rivers and other bodies of surface water. They include the floodplain as well as the riparian buffers adjacent to the floodplain. Riparian zones are visually defined by a greenbelt with a characteristic suite of plants that are adapted to and depend on the shallow water table.

²³ An aquatic resource, for the purposes of this guidance, includes: streams, rivers, ponds, lakes, wetlands, estuaries, bays, or other tidally influenced marine areas.

²⁴ A pollution generating surface, as used in this guidance, is a surface upon which motorized vehicles travel. Examples include, but are not limited to: parking lots, driveways, and roads.

²⁵ A "hazard tree" is a tree that has a structural defect that creates a risk of failure and resulting damage to people or property.

²⁶ An "appropriate tree" is one that will be the correct size and species for the specific location and that the selected location is appropriate for the selected tree species at maturity. An arborist can recommend an appropriate species for replacement.

²⁷ When replacing trees adjacent to impervious surface area, give preference to evergreen species (e.g., firs, pines), as they intercept precipitation and re-evaporate it back to the atmosphere, reducing stormwater generation.

Any exterior repair or improvement that will not increase post-construction runoff and:

- Does not increase amount (area) of impervious surface area.
- Does not replace existing roof with new hot tar roofing methods, torch down roofing methods, treated wood, copper, or galvanized metal.²⁸
- Does not replace existing siding with galvanized sheeting.
- Does not install, repair, or replace exterior artificial lighting on properties adjacent to aquatic resources that support ESA-listed species.

- **Specific exterior repairs or improvements criteria:** New or replacement roof-mounted HVAC (or similar mechanical systems) for multi-family or commercial rooftop installation shall place such equipment under a roofed structure to prevent precipitation from leaching zinc into the runoff.
- Exterior repair or improvements to an existing structure located within a Special Flood Hazard Area (100-year floodplain) that does not increase structure footprint/does not reduce the amount of flood storage capacity, or remove native riparian vegetation.
- Special projects involving the removal of material or architectural barriers that restrict the mobility of and accessibility to the elderly and persons with disabilities (e.g., curb cuts, wheelchair ramps, or similar).
- Repair/maintenance of parking lots and access roads are limited to re-pavement, filling potholes/sealing, and re-painting. Repairs that require asphalt grinding or other methods of removal are excluded. Repairs that change the collection, conveyance, and discharge of surface runoff are excluded.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.).
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an approved sanitary or hazardous waste disposal site.

New construction or addition to an existing developed site if:²⁹

- The construction does not increase the amount (area) of impervious surface area.
- The existing impervious areas are currently treated by stormwater facilities that meet NMFS' stormwater standards and the current stormwater facilities will be sufficient to treat and manage all the stormwater from the proposed development.³⁰
- The construction complies with all state and local building codes and stormwater regulations.
- All waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

²⁸ Galvanized flashing, gutters, or fasteners may be utilized as part of roofing systems, so long as they are coated or painted to prevent exposure to precipitation.

²⁹ Examples include building a new structure over an existing parking lot, adding a second story to an existing structure, or similar.

³⁰ An engineer licensed in the state of Oregon will need to assess the existing stormwater infrastructure and the new construction and document the facilities' compliance in writing. Refer to HUD Programmatic Opinion appendices or contact NMFS.

New construction on an undeveloped site that will create new impervious surface area / increase post-construction runoff if all of the following apply:

- The stormwater water quality design storm (50% of the 2-year, 24-hour storm) is treated for water quality; and
- All post-construction runoff through the 10-year storm event will be captured on-site and infiltrated or reused; and
- The proposed construction complies with all state and local building codes and stormwater regulations; and
- The proposed construction will not impact an area of natural habitat, a wetland, or riparian area; and
- Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

Part C: Initiating Section 7 Consultation

If you completed the checklists in Part A and Part B of this document and determined there could be adverse effects to listed or proposed species, designated or proposed critical habitat, and/or essential fish habitat, then you may need to initiate section 7 consultation with NMFS and/or USFWS.

A project that does not meet the “no effect” determination criteria is considered a “may affect” action. There are two potential “may affect” determinations: “may affect, not likely to adversely affect” (NLAA) and “may affect, likely to adversely affect” (LAA). Contact USFWS and/or NMFS to determine whether the project can be modified to reach a “no effect” finding. If the project cannot be modified to avoid potential take of ESA-listed species or adversely effect on critical habitat/EFH, then additional consultation with USFWS and/or NMFS will be required to assist in making an appropriate determination.³¹

If the effects of the action, temporary or permanent, are insignificant, discountable, or entirely beneficial, the action is “not likely to adversely affect” ESA-listed or proposed species or designated critical habitats/EFH, and the section 7 consultation for the project will be informal. A “May Affect, Not Likely to Adversely Affect” determination is the most common outcome of consultation for HUD-funded projects with USFWS.

- Discountable effects are those extremely unlikely to occur. Based on the best available scientific and commercial data, and judgment, a person would not expect discountable effects to occur.
- Insignificant effects relate to the magnitude of the impact and should never reach the scale where “take” occurs. “Take” is defined to include “harass,” and “harm.” *Harm* can occur if habitat is altered in a manner that diminishes important species behavior, such as breeding, feeding, or sheltering, to the degree that it injures even a single individual of the species. *Harass* includes activities that alter an individual’s behavior in a manner that increases the likelihood of it being injured. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects.
- Wholly beneficial effects are very narrowly construed and cannot be interpreted to mean “better than before,” and cannot involve an analysis of net effects. All effects must be positive. If any adverse effect occurs, then the project is not wholly beneficial.

If the effects of the action on ESA-listed or proposed species and/or critical habitats/EFH are not discountable, insignificant, or entirely beneficial (i.e., *likely to adversely affect*), formal consultation must be initiated. In such cases, a formal consultation must be initiated prior to committing HUD resources to the project, by which the USFWS and/or NMFS assess the action’s potential to jeopardize the listed species, to result in the destruction or adverse modification of critical habitat/EFH, or to result in incidental take³² of a listed species. Formal consultation will result in the USFWS and/or NMFS issuing a Biological Opinion for the project, including an incidental take statement for project actions, if appropriate. The Biological Opinion will also include terms and conditions to minimize and/or avoid project impacts to ESA-listed species.

Because the constituents of stormwater runoff are particularly harmful to aquatic species, a “May Affect, Likely to Adversely Affect” determination is the most common outcome of consultation for HUD-funded projects with NMFS. To this end, NMFS has issued a Programmatic Biological Opinion for HUD Housing Projects in Oregon.³³ The programmatic Biological Opinion evaluates common HUD projects that result in

³¹ Please keep in mind that a beneficial effect is still an effect under the ESA, so a “no effect” finding is not appropriate for projects that may have wholly beneficial effects.

³² “Incidental take” refers to takings of an ESA-listed species that result from, but are not the purpose of, carrying out an otherwise lawful activity conducted by the Federal agency or applicant. [50 CFR 402.02]

³³ National Marine Fisheries Service (NMFS). 2016. Endangered Species Act Section 7 Formal Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the

stormwater generation³⁴ and proscribes best management practices (BMPs) and project design criteria (PDCs) to minimize and avoid impacts to listed species, critical habitat, and EFH. The BMPs and PDCs take the form of stormwater collection, treatment, and flow control (management) criteria and include the Low Impact Development (LID) approaches NMFS prefers to see incorporated into project design and site development.³⁵ If the criteria stipulated in the programmatic Biological Opinion can be met through project design, then formal consultation with NMFS can be completed through an expedited review process.³⁶ Use of the programmatic Biological Opinion is voluntary, but is offered as a mechanism to assist HUD in carrying out its mission in a timely and efficient manner.

Figure 2, following page, depicts the process for determining which ESA consultation method is appropriate for NMFS.

At any stage in making your determination, you may wish to contact the appropriate USFWS and NOAA Fisheries field offices for technical assistance. Contact information is available at:

NMFS Portland Regional Office
1201 Northeast Lyon Blvd, Suite 1100
Portland, OR 97232
503-230-5400
<http://www.westcoast.fisheries.noaa.gov/index.html>

USFWS, Oregon Fish and Wildlife Office
2600 SE 98th Ave, Suite 100
Portland, OR 97266
503-231-6179
<http://www.fws.gov/oregonfwo/>

For projects located in the **Klamath River Basin**, you must contact the appropriate office at:

NMFS Arcata Office
1655 Heindon Road
Arcata, CA 95521
707-825-5171
<https://www.fisheries.noaa.gov/contact/arcata-ca>

USFWS, Klamath Falls Fish and Wildlife Office
1936 California Avenue
Klamath Falls, Oregon 97601
541-885-8481
<http://www.fws.gov/klamathfallsfwo/>

DISCLAIMER: This document is intended as a tool to help grantees and HUD staff complete ESA requirements. This document is subject to change. This is not a policy statement, and the Endangered Species Act, Magnuson-Stevens Act, and associated regulations take precedence over any information found in this document. Questions concerning environmental requirements related to HUD programs can be addressed to Brian Sturdivant, Regional Environmental Officer, Region 10. [Brian.Sturdivant@hud.gov]

U.S. Department of Housing and Urban Development Housing Programs in Oregon. West Coast Region. Portland, Oregon. July 25, 2016. [<https://www.hud.gov/states/shared/working/r10/environment>]

³⁴ The range of projects evaluated in the BiOp is limited primarily to housing development, so check with NMFS to see if use of the programmatic BiOp is appropriate, if your project involves roadway construction/redevelopment, modification to a bridge or culvert stream crossing, stormwater facilities located in the riparian zone or floodplain, facilities not typically associated with housing (e.g., wastewater treatment plants, water treatment and supply facilities, any conveyance infrastructure entering or crossing an aquatic resource or its riparian zone.

³⁵ All stormwater criteria, BMPs, and PDCs are defined in the appendices of the Programmatic BiOp [<https://www.hud.gov/states/shared/working/r10/environment>].

³⁶ Typical review times for formal consultation are 145 days from receipt of a complete initiation package. Review times for the programmatic BiOp are typically less than 30 days from receipt of a complete initiation package.

Part D: Selected Resource / Glossary of Terms

Links to Section 7 Handbook and additional Section 7 resources:

- Consultation Fact Sheet: <https://www.fws.gov/endangered/esa-library/pdf/consultations.pdf>
- Section 7 Handbook: http://www.nmfs.noaa.gov/pr/pdfs/laws/esa_section7_handbook.pdf
- Overview of the Section 7 Process: <http://www.fws.gov/Midwest/endangered/section7/index.html>

Additional Resources for LID

- American Rivers, 2012, Banking on Green Report: Economic Benefits of Green Infrastructure Practices
- Clean Water Services, 2009, Low Impact Development Approaches (LIDA) Handbook
- ECO Northwest, 2009, LID at the Local Level - Developers' Experiences and City and County Support
- Herrera, 2013, Guidance Document: Western Washington LID Operation and Maintenance
- NCHRP, 2006, Evaluation of BMPs for Highway Runoff Control – LID Design Manual
- Oregon Department of Environmental Quality Template for LID Stormwater Manual for Western Oregon <https://www.oregon.gov/deq/wq/tmdls/Pages/TMDLs-LID.aspx>
- Prince George County, Maryland, 1999, Low-Impact Development Design Strategies
- Puget Sound Partnership, 2012, Low Impact Development: Technical Guidance Manual for Puget Sound
- US EPA, 2013, Stormwater to Street Trees: Engineering Urban Forests for Stormwater Management
- US EPA, 2005, Low Impact Development for Big Box Retailers
- Washington Department of Ecology Low Impact Development (LID) Guidance <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Low-Impact-Development-guidance#tab2>

Definitions & Terminology used in an ESA Review and Consultation

- **Action Area** includes all areas that will be affected directly or indirectly by the proposed action and not merely the immediate area involved in the action.
- **Built environment** includes all structures and paved areas like parking lots, patios, trails, retaining walls, sidewalks, streets, and amenities that prevent infiltration of rainwater into the water table.
- **Candidate Species** are plant and animal taxa considered for possible addition to the List of Endangered and Threatened Species. These are taxa for which the USFWS and NMFS have sufficient information on biological vulnerability and threat(s) to support issuance of a proposal to list, but issuance of a proposed rule is currently precluded by higher priority listing actions.
- **Critical Habitat** means those specific areas that have been designated by USFWS or NMFS (in a rule-making in the *Federal Register*) as essential to the conservation of a listed species.
- **Effects of the action** are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed

action (cumulative effects). A consequence is caused by the proposed action if it would not occur but for the proposed action occurring and if it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action.

- **No effect** is the appropriate conclusion when the action agency determines its proposed action will not affect listed species or critical habitat. A determination of '*no effect*' must be supported in the environmental review record but does not require consultation with NMFS or USFWS.
- **May affect, not likely to adversely affect (NLAA)** is the appropriate conclusion when effects on listed species are expected to be *discountable*, or *insignificant*, or completely *beneficial*.
 - ✓ **Beneficial effects** are contemporaneous positive effects without any adverse effects to the species.
 - ✓ **Insignificant effects** relate to the size of the impact and should never reach the scale where take occurs. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects.
 - ✓ **Discountable effects** are those extremely unlikely to occur. Based on best judgment, a person would not expect discountable effects to occur.
- **May affect, likely to adversely affect (LAA)** is the appropriate conclusion if any adverse effect to listed species may occur because of the proposed action, and the effect is not discountable, insignificant, or beneficial. A determination of '*likely to adversely affect*' requires formal consultation under section 7 of the ESA; formal consultation results in a Biological Opinion from NMFS or USFWS. See Part C for additional information.
- **Impervious area** means artificial structures such as rooftops and pavements (e.g., driveways, parking lots, roads, sidewalks, trails) that are covered by impervious material like asphalt, brick, compacted soil, concrete, or stone.
- **Listed Species** means any species of fish, wildlife or plant that has been determined to be endangered or threatened under section 4 of the Endangered Species Act.
- **Nexus** means any action that is funded, authorized or carried out by a federal agency that may affect an ESA-listed species or habitats.
- **Post-construction runoff** means runoff from the built environment that extends off-site after a project's construction is complete.
- **Proposed Species** any species of fish, wildlife or plant that has been proposed by USFWS or NMFS in the *Federal Register* to be listed under section 4 of the Endangered Species Act.
- **Proximity** means areas or effects that occur near ESA-listed species or habitats in space or time, including areas where species roost, feed, nest, rear, overwinter, or migrate. NMFS considers projects that discharge post-construction stormwater to be in proximity with ESA-listed species or habitats that occur downstream of the discharge site.
- **Responsible entity** means the party authorized by HUD under 24 CFR Part 58 to complete any environmental review necessary for HUD to obligate funds.
- **Riparian area** means vegetation, habitats, or ecosystems that are associated with bodies of water, typically within 150-feet of a stream bank or the shoreline of a standing body of water.
- **Take** under the ESA is defined as actions that may harass, harm, pursue, hunt, shoot, wound, kill trap, capture, or collect, or to attempt to engage in any such conduct. The ESA also protects against interfering in vital breeding and behavioral activities or degrading critical habitat.



[ECOS](#) / [Species Reports](#)

/ Listed species with spatial current range believed to or known to occur in OR

Listed species with spatial current range believed to or known to occur in Oregon

Notes:

- This report includes species only if they have a **Spatial Current Range** in ECOS.
- **As of 02/13/2015 the data in this report has been updated to use a different set of information.** Results are based on where the species is believed to or known to occur. The FWS feels utilizing this data set is a better representation of species occurrence. Note: there may be other federally listed species that are not currently known or expected to occur in this state but are covered by the ESA wherever they are found; Thus if new surveys detected them in this state they are still covered by the ESA. The FWS is using the best information available on this date to generate this list.
- This report shows listed species or populations believed to or known to occur in OR
- This list does not include experimental populations and similarity of appearance listings.
- Click on the highlighted scientific names below to view a Species Profile.

Listed Species

Sort by group:



Show entries

Search:

45 Species Listings

Scientific Name	Common Name	Where Listed	Region	ESA Listing Status
Amphibians				
Rana pretiosa	Oregon spotted frog	Wherever found	1	Threatened
Birds				

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Gymnogyps californianus</u>	California condor	Pacific Northwest NEP	8	Experimental Population, Non-Essential
<u>Pterodroma sandwichensis</u>	Hawaiian petrel	Wherever found	1	Endangered
<u>Brachyramphus marmoratus</u>	Marbled Murrelet	U.S.A. (CA, OR, WA)	1	Threatened
<u>Strix occidentalis caurina</u>	Northern spotted owl	Wherever found	1	Threatened
<u>Phoebastria (=Diomedea) albatrus</u>	Short-tailed albatross	Wherever found	7	Endangered
<u>Eremophila alpestris strigata</u>	Streaked Horned lark	Wherever found	1	Threatened
<u>Charadrius nivosus nivosus</u>	Western Snowy Plover	Pacific Coast population DPS- U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast)	8	Threatened
<u>Coccyzus americanus</u>	Yellow-billed Cuckoo	Western U.S. DPS	2	Threatened
Conifers and Cycads				
<u>Pinus albicaulis</u>	Whitebark pine	Wherever found	6	Threatened
Crustaceans				
<u>Branchinecta lynchi</u>	Vernal pool fairy shrimp	Wherever found	8	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Lepidurus packardi</u>	Vernal pool tadpole shrimp	Wherever found	8	Endangered
Fishes				
<u>Salvelinus confluentus</u>	Bull Trout	U.S.A., coterminous, lower 48 states	1	Threatened
<u>Gila bicolor ssp.</u>	Hutton tui chub	Wherever found	1	Threatened
<u>Oncorhynchus clarkii henshawi</u>	Lahontan cutthroat trout	Wherever found	8	Threatened
<u>Deltistes luxatus</u>	Lost River sucker	Wherever found	8	Endangered
<u>Chasmistes brevirostris</u>	Shortnose Sucker	Wherever found	8	Endangered
<u>Eucyclogobius newberryi</u>	Tidewater goby	Wherever found	8	Endangered
<u>Catostomus warnerensis</u>	Warner sucker	Wherever found	1	Threatened
Flowering Plants				
<u>Astragalus applegatei</u>	Applegate's milk-vetch	Wherever found	8	Endangered
<u>Lomatium cookii</u>	Cook's lomatium	Wherever found	1	Endangered
<u>Fritillaria gentneri</u>	Gentner's Fritillary	Wherever found	1	Endangered
<u>Thelypodium howellii ssp. spectabilis</u>	Howell's spectacular thelypody	Wherever found	1	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Lupinus sulphureus ssp. kincaidii</u>	Kincaid's Lupine	Wherever found	1	Threatened
<u>Limnanthes pumila ssp. grandiflora</u>	Large-flowered woolly meadowfoam	Wherever found	1	Endangered
<u>Mirabilis macfarlanei</u>	MacFarlane's four-o'clock	Wherever found	1	Threatened
<u>Stephanomeria malheurensis</u>	Malheur wire-lettuce	Wherever found	1	Endangered
<u>Arabis macdonaldiana</u>	McDonald's rock-cress	Wherever found	8	Endangered
<u>Plagiobothrys hirtus</u>	rough popcornflower	Wherever found	1	Endangered
<u>Phacelia argentea</u>	Sand dune phacelia		1	Threatened
<u>Orcuttia tenuis</u>	Slender Orcutt grass	Wherever found	8	Threatened
<u>Lepidium papilliferum</u>	Slickspot peppergrass		1	Threatened
<u>Silene spaldingii</u>	Spalding's Catchfly	Wherever found	1	Threatened
<u>Lilium occidentale</u>	Western lily	Wherever found	8	Endangered
<u>Erigeron decumbens</u>	Willamette daisy	Wherever found	1	Endangered
Insects				

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Icaricia icarioides fenderi</u>	Fender's blue butterfly	Wherever found	1	Threatened
<u>Bombus franklini</u>	Franklin's bumble bee	Wherever found	1	Endangered
<u>Speyeria zerene hippolyta</u>	Oregon silverspot butterfly	Wherever found	1	Threatened
<u>Euphydryas editha taylori</u>	Taylor's (=whulge) Checkerspot	Wherever found	1	Endangered
Mammals				
<u>Odocoileus virginianus leucurus</u>	Columbian white-tailed deer	Columbia River DPS	1	Threatened
<u>Canis lupus</u>	Gray wolf	U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico.	6	Endangered
<u>Gulo gulo luscus</u>	North American wolverine	Wherever found	6	Threatened

Scientific Name	Common Name	Where Listed	Region ⓘ	ESA Listing Status ⓘ
<u>Martes caurina</u>	Pacific Marten, Coastal Distinct Population Segment	Wherever found	8	Threatened
Reptiles				
<u>Lepidochelys olivacea</u>	Olive ridley sea turtle	Wherever found, except when listed as endangered under 50 CFR 224.101	1	Threatened
Snails				
<u>Physella natricina</u>	Snake River physa snail	Wherever found	1	Endangered

Showing 1 to 45 of 45 entries

Previous

1

Next

Wild and Scenic Rivers (CEST and EA)

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297
References		
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

1. Is your project within proximity of a NWSRS river as defined below?

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

→ Continue to Question 2.

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

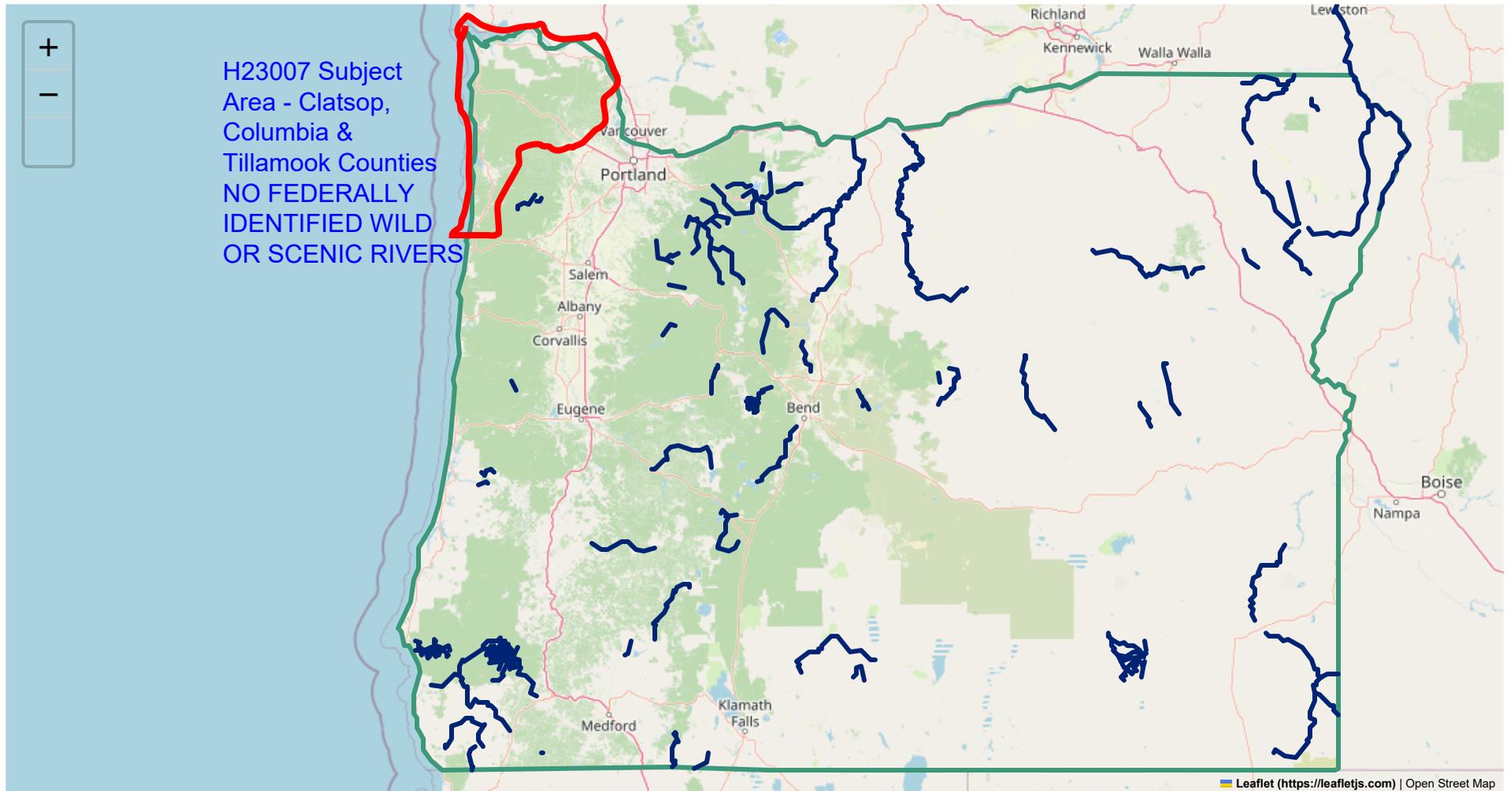
The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

Yes

No

H23007 - Wild & Scenic Rivers in Oregon



Rivers In Oregon

Air Quality (CEST and EA)

General Requirements	Legislation	Regulation
<p>The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.</p>	<p>Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))</p>	<p>40 CFR Parts 6, 51 and 93</p>
Reference		
<p style="text-align: center;">https://www.hudexchange.info/environmental-review/air-quality</p>		

Scope of Work

- 1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

→ *Continue to Question 2.*

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

- 2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

No, project's county or air quality management district is in attainment status for all criteria pollutants

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

- Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

- No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

- Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

- Yes
 No

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

- Yes → *Continue to Question 2.*
 No

Explain how you determined that agricultural land would not be converted:

There is no activity including new construction, acquisition or conversion of land for Housing Rehabilitation solely of existing stickbuilt or manufactured homes, with no change in the footprint of the home to be rehabilitated.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.*

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nracs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes → *Continue to Question 3.*

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

- Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Address disproportionately high and adverse human health or environmental effects on minority and low-income populations.	Executive Order 12898, February 11, 2004	24 CFR 50.4(l) and 24 CFR 58.5(j).

1. Is there an adverse environmental impact caused by the proposed action, or is the proposed action subject to an adverse environmental impact?

This question is designed to determine how the Environmental Justice analysis is reflected in the environmental review as a whole. Your consideration of the other environmental laws and authorities is your supporting documentation for this question. If any other environmental law or authority required mitigation (i.e., 8-step process for locating in a flood plain, waiver of noise requirements), then there is an adverse environmental impact.

- No: STOP here. The project does not pose an Environmental Justice concern.
 Yes: PROCEED to #2

2. Will the project have a disproportionate impact on low-income or minority populations?

The following steps will help you make this determination:

- 1) Describe the project.
- 2) Consider historic uses of the site, past land uses and patterns (such as lending discrimination and exclusionary zoning).
- 3) Determine the demographic profile of the people using the project and/or living and working in the vicinity of the project. EPA’s environmental justice geographic assessment tool provides helpful demographic information: <http://epamap14.epa.gov/ejmap/entry.html>
- 4) Describe the adverse environmental impact you identified in your environmental review. Identify adjacent land uses, paying particular attention to toxic sites, dumps, incinerators, hazardous materials (e.g. asbestos), and other issues with the potential to have adverse human health effects. (This may already have been considered in your review of toxic and hazardous substances.)
- 5) Consider how the adverse environmental impact and any potentially harmful adjacent land uses would impact the people using and/or surrounding the project.
- 6) Consider whether market-rate development exists in the area. If not, would this project succeed as a market-rate project at the proposed site?

- No: STOP here. Maintain documentation concerning your determination of no disproportionate impact.
 Yes: Consult with HUD environmental staff to develop a mitigation plan. An Environmental Justice mitigation plan must include public outreach, participation and community involvement. The project can not move forward until the EJ issue is mitigated to the satisfaction of HUD or the Responsible Entity and the impacted community.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.

Noise (CEST Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ *Continue to Question 4.*

- Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

Yes

Indicate the type of measures that will apply (check all that apply):

Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)

Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)

Other

Explain:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.

No

→ Continue to Question 3.

3. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Describe findings of the Preliminary Screening:

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

→ Continue to Question 6.

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.

→ Continue to Question 5.

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

Is the project in a largely undeveloped area¹?

No

→Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Yes

→Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.

Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

Only existing single family homes (stickbuilt or manufactured) will have minor rehabilitation activities, and the cost for any noise attenuation or other measures will be cost prohibitive and not allow any work to be completed on clients homes and remain within the “Minor Rehabilitation” categorization, nor remain affordable for the homeowners and protect their hard earned equity in their homes. The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

Yes

No

The Subgrantee was notified by the State in past years that HUD has determined this does not apply to Housing Rehabilitation programs such as this due to the unreasonable burden placed by the Noise Attenuation suggested measures, and the fact that the homes are existing structures and no work being done will affect whether there is existing roads or noise factors, and there are no alternatives for the work to be done in order to preserve these affordable homes.

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

→ Continue to Question 2.

Yes

Explain:

→ Go directly to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

→ Continue to Question 3.

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer “no.” For any other type of aboveground storage container within the search area that holds one of the

flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer “yes.”

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

Yes

→ Continue to Question 4.

4. Visit HUD’s website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:

- Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
- Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No

→ Go directly to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.
Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

- Yes
 No

Contamination and Toxic Substances (Single Family Properties)

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

Reference

<https://www.hudexchange.info/programs/environmental-review/site-contamination>

1. **Were any on-site or nearby toxic, hazardous, or radioactive substances¹ (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

Provide a map or other documentation of absence or presence of contamination² and explain evaluation of site contamination in the Worksheet below.

No

Explain:

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

→ Continue to the next question.

¹ This question covers the presence of radioactive substances excluding radon. Radon is addressed in question 2.

² Utilize EPA's Enviromapper and state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

Yes

→ Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to the next question.

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

2. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions³ from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

This program only does minor rehabilitation of existing homes. The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

→ If **no** non-radon contamination was found, the review is in compliance with this section. Continue to the Worksheet Summary below. If non-radon contamination **was** found, continue to the Mitigation question.

3

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems: document radon levels are below 4.0 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance:
 - test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

No

→ Continue to the following question.

3. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

Yes

→ Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be included in the Environmental Review Record.

No

→ Continue to the next question.

4. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

→ Continue to the next question.

No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and include the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

→ If **no** non-radon contamination was found, the review is in compliance with this section. Continue to the Worksheet Summary below. If non-radon contamination **was** found, continue to the Mitigation question below.

5. How was radon data collected?

All buildings involved were tested for radon

→ *Continue to question six below.*

A review of science-based data was conducted

Enter the Radon concentration value, in pCi/L, derived from the review of science-based data:

Provide the documentation⁴ used to derive this value:

→ *If Radon concentration value above is **less than** 4.0 pCi/L AND no non-radon contamination was found then based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.*

*If Radon concentration value above is 4.0 pCi/L **or greater** radon mitigation is required. Continue to the Mitigation question.*

6. Were the radon test results for any dwelling unit tested at or above 4.0 pCi/L?

Yes

Radon mitigation is required. Continue with the prompts directly below.

Enter the total number of dwelling units tested:

How many dwelling units tested at or above 4.0 pCi/L:

⁴ For example, if you conducted radon testing then provide a testing report (such as an ANSI/AARST report or DIY test) if applicable (note: DIY tests are not eligible for use in multifamily buildings), or documentation of the test results. If you conducted a scientific data review, then describe and cite the maps and data used and include copies of all supporting documentation. Ensure that the best available data is utilized, if conducting a scientific data review.

Enter the highest radon test result value:

Document the test results for all dwelling units tested with a copy of the test results for all dwelling units or testing report(s) covering all units.

No

Provide a copy of the test results for all dwelling units tested or testing report(s) covering all units tested.

→ If **no** non-radon contamination was found, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

If non-radon contamination **was** found, continue to the Mitigation question.

7. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan.⁵

Can all adverse environmental impacts be mitigated?

All adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location.

Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.

→ Provide all **mitigation requirements**⁶ and documents in the Screen Summary at the bottom of this screen.

⁵ Refer to CPD Notice CPD-23-103 (with link to it at https://www.hud.gov/sites/dfiles/CPD/documents/CPD_Notice_on_Addressing_Radon_in_the_Environmental_Review_Process.pdf) for additional information on radon mitigation plans.

⁶ Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

8. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls⁷, or use of institutional controls⁸.

If a remediation plan or clean-up program was necessary, which standard does it follow?

- Complete removal
- Risk-based corrective action (RBCA)
- Other

→ *Continue to the Worksheet Summary.*

⁷ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

⁸ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

Are formal compliance steps or mitigation required?

- Yes
 No

Airport Hazards (CEST and EA)

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

Yes → *Continue to Question 2.*

2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

Yes, project is in an APZ → *Continue to Question 3.*

Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. Is the project in conformance with DOD guidelines for APZ?

Yes, project is consistent with DOD guidelines without further action.

Explain how you determined that the project is consistent:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

Explain approval process:

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects.

All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done one each home to have housing rehabilitation completed.

No homes that may be within 2500 feet of a civilian airport or in an Accident Potential Zone will be served with HUD dollars.

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance (CEST and EA)

General requirements	Legislation	Regulation	Reference
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.5.	Flood Insurance - HUD Exchange

1. Does this project involve mortgage insurance, refinance, acquisition, repairs, construction, or rehabilitation of a structure, mobile home, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.
Continue to the Worksheet Summary.

Yes *Continue to Question 2.*

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No *Continue to the Worksheet Summary.*

SITE SPECIFIC TO BE COMPLETED FOR EACH PROJECT; UNKNOWN WHAT HOMES WILL BE INCLUDED IN PROGRAM AT THIS TIME.

Yes *Continue to Question 3.*

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

Continue to the Worksheet Summary.

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

Continue to the Worksheet Summary.

- No. The community is not participating, or its participation has been suspended.
Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The Northwest Oregon Regional Housing Rehabilitation Program only provides minor Housing Rehabilitation services to single family client owned homes, and will be done within the confines of the existing envelope of existing homes. The homes have not yet been determined, so unable to provide the panels, plans and any reports related to the individual projects. All projects will be within the three county service area of Clatsop, Columbia and Tillamook Counties, Oregon. Individual Site Specific process will be done on each home to have housing rehabilitation completed.

No work will be done on homes located in a floodway. Insurance will be required for homes with loans in flood zones.

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

After consultation with the FWS the project was given approval to continue
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

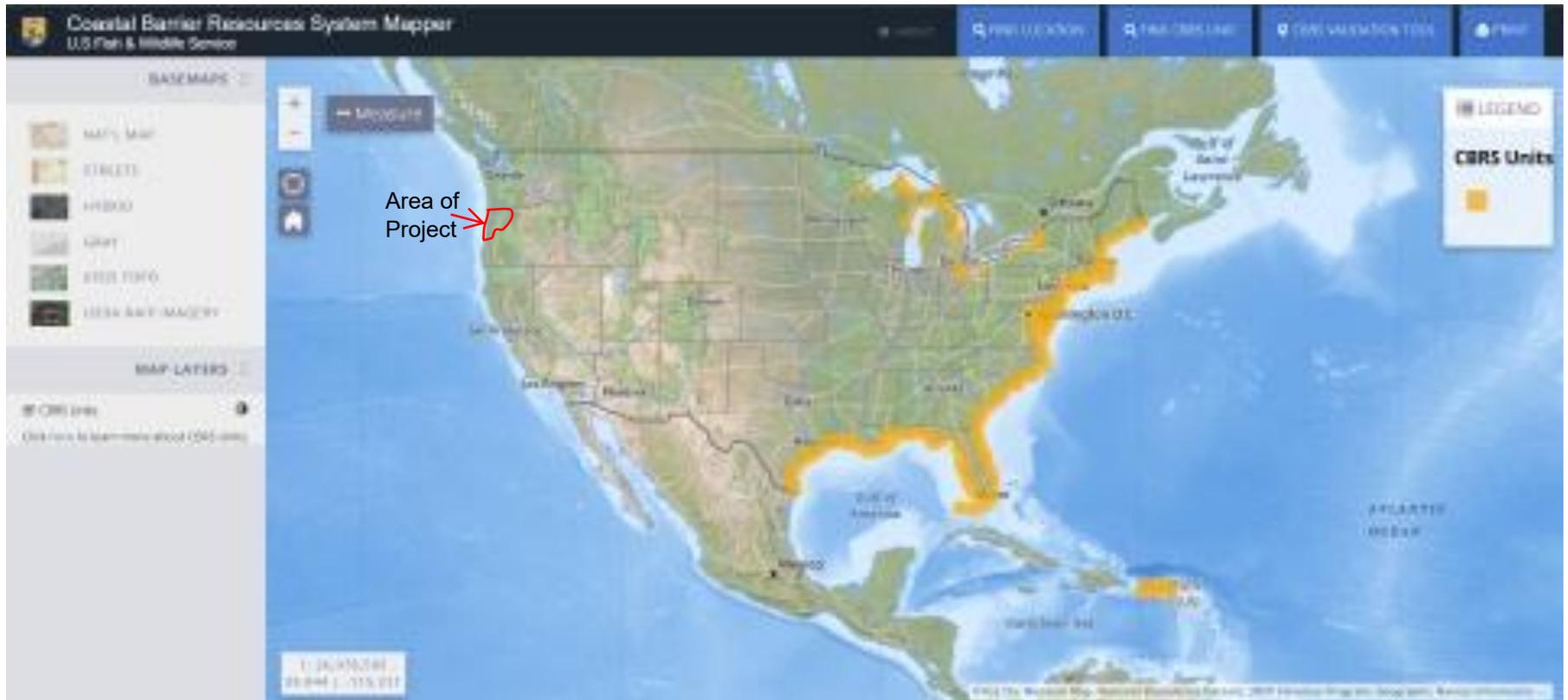
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

Yes

No

H23007 - Coastal Barrier Map



--> H23007 - Coastal Barrier Area Map; Clatsop, Columbia & Tillamook Counties, Oregon



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