Oregon Housing and Community Services
Disaster Recovery and Resilience
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Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: **Tier I Environmental Review Record**
State of Oregon
2022 Community Development Block Grant-DR – ReOregon
Homeowner Assistance and Reconstruction Program
(Linn County)

Responsible Entity: Oregon Housing and Community Services (OHCS)

Grant Recipient: State of Oregon

State/Local Identifier: Linn County, Oregon under B-21-DZ-41-0001

Preparer: Tetra Tech, Disaster Recovery Division

Certifying Officer Name and Title: Ryan Flynn, Director, Oregon Housing and Community Services (OHCS), Disaster Recovery & Resilience

Consultant: Tetra Tech, Disaster Recovery Division

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Project Location:

Proposed projects actions under this Tiered Environmental Review Record (24 CFR 58.15) will be limited to Linn County including all municipalities and rural areas therein. While the number of Linn County residents that will apply to the program is unknown, as specified in the State of Oregon, CDBG-DR Action Plan, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program, approximately 71 of the damaged homes were located in Linn County. **Attachment A, Project Location Map**.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. More than 1.2 million acres burned, more than 4,300 homes were lost, nearly half of which were manufactured homes, and the remaining land was left charred with debris, standing burned trees, and destroyed public infrastructure.

Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. The Oregon Housing and Community Services (OHCS) is the lead and responsible agency for administering the CDBG-DR funds allocated to the State of Oregon.

ReOregon will support individuals, households, and communities as they continue to recover from the 2020 Labor Day wildfires. This will be accomplished primarily through the provision of new housing that is safe and resilient in the areas most impacted by the disaster. The program will ensure that the housing needs of low- and moderate-income (LMI) households and vulnerable populations, including individuals that were made homeless as a result of the disaster, are addressed to the greatest extent feasible.

Eligible program activities covered under this Broad Review include:

- **Homeowner Assistance and Reconstruction Program**
    - Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes), including additional costs to comply with federal, state, and local construction standards, such as replacing or repairing on-site residential infrastructure, complying with green building standards, and ensuring homes are accessible for individuals living with disabilities and senior residents.
    - Eligible costs also include activities necessary to address site-specific needs such as demolition and removal of the original structure, accessibility needs (e.g., ramps and lifts), environmental issues, on-site residential infrastructure repairs or replacement (e.g., septic tanks and wells), resilience and mitigation measures, elevation requirements, installation and transportation costs, relocation costs, and municipal ordinances, as needed.
    - Participants whose properties are located the Special Flood Hazard Area, or the 100-year floodplain, and who receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the one percent annual chance floodplain elevation (base flood elevation).

- **To be eligible for the Program, homeowners must meet the following criteria:**
    - Must have been the owner-occupant of the damaged property at the time of the disaster.
    - The damaged property must have been the applicant's primary residence at the time of the disaster.
    - The damaged property must have sustained damages as a result of the 2020 Wildfires.
    - The damaged property must be an eligible structure as defined in the program guidelines, including, but not limited to single family residences, manufactured homes, prefabricated homes, and properly registered recreational vehicles.

Prioritization criteria for participation in the ReOregon Program will ensure that sufficient housing recovery programming will be directed toward LMI beneficiaries.

Under 24 CFR 58.15 (Tiering) and 24 CFR 58.32 (Project aggregation), OHCS will utilize a tiered approach for combining similar work into geographic as well as functional aggregation packages when conducting the environmental review. Applying the tiering rule provides OHCS the ability to separate individual project site work into aggregate categories of work having similar geographic and/or functional environmental attributes. A "site specific" or "Tier II" review will be done on each subject property before spending any CDBG-DR funds for construction activities. See **Attachment T** for sample site-specific checklist.

The agency consultations included in this Broad Review included all project types under the ReOregon Program. However, after discussion with HUD Region 10 Field Environmental Officer, it was decided that this Broad Review will only cover the Homeowner Assistance and Reconstruction Program as listed above.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Oregon suffered a historic wildfire event that began on September 7, 2020, through the main containment date of November 3, 2020. On September 8, 2020, Oregon's wildfire season was exacerbated by a historically extreme wind event. Extremely dry 25- to 50-mile per hour (mph) winds (with gusts up to 60 mph) spread throughout Oregon. The gale force winds downed power lines and toppled trees, which sparked new fires and made existing fires spread faster than firefighters could contain.

It was not just the extreme wind in Oregon that caused the fires to spread so quickly. In 2020, the majority of Oregon was classified as being under severe drought. This resulted in low moisture content vegetation (fuel loads), making the landscape more receptive to igniting and burning more quickly and intensely than previous wildfires in Oregon. In total, the DR-4562 event included 21 fires and burned more than 1.2 million acres. Five of the fires grew into megafires, defined as fires that burn areas larger than 100,000 acres. Oregon had never experienced more than one fire over 100,000 acres during a fire season in the State's recorded history. All major fires were contained by early December 2020.

The purpose of the prosed project is to assist homeowners in Linn County whose single-family homes were damaged or destroyed by the Lionshead Fire (which burned from August 16th to November 13th, 2020), the Beachie Creek Fire (which burned from August 16th to October 28th, 2020), and the Holiday Farm Fire (which burned from September 7th to October 26th). One of the primary purposes of the program is to promote sound, sustainable long-term recovery that accounts for an understanding of current and projected natural hazard risks, including climate-related hazards.

The program is needed to assist with providing adequate housing for residents whose single-family homes were damaged or destroyed due to the wildfire event. The need for the proposed Program is related to

the need for assistance from homeowners with little other means to rebuild their destroyed homes. To fully understand the impacts and to better develop a long-term recovery strategy, the State of Oregon has completed a comprehensive needs assessment for the 2020 disaster impact areas. The assessment specifically identifies the effects, long-term unmet needs, and priorities for the U.S. Department of Housing and Urban Development (HUD) allocated CDBG-DR funding intended to aid in recovery, resiliency, and future mitigation.

Single Family Rehabilitation and Reconstruction activities are expected to take place on scattered sites throughout the most distressed neighborhoods within Linn County and most affected by the 2020 wildfire event. Residential property owners of any location within the county that sustained damage from the aforementioned wildfires are able to apply for the program.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Many properties in Linn County were either damaged, substantially damaged, or completely destroyed due to the Beachie Creek, Lionshead, and Holiday Farm fires. Some property owners are repairing/reconstructing their homes as funds become available, while others have no available funds to complete needed repairs or reconstructions. Many homeowners and other potential applicants do not have the resources to repair, reconstruct, or relocate to less vulnerable areas. In the absence of the proposed program, the remaining damaged properties will continue to deteriorate doing further harm to the communities in which the properties are located. By not reconstructing homes that were completely demolished by the fires, the existing housing shortage in Oregon will be exacerbated.

Repairing and reconstructing damaged homes with CDBG-DR funds with more energy-efficient, fire resistant, and physically accessible single-family owner-occupied damaged housing, particularly for those who are LMI, under- or uninsured, and have not been able to complete their recovery would ensure that the structures are resilient and safe. The program is designed to prioritize homeowners who continue to face recovery barriers because they have not had access to the resources, support services, and/or capacity to complete their recovery.

In the absence of the proposed project, existing debris and damaged structures would remain in the existing locations and could potentially be a hazard in the event of future fires.

Funding Information

Grant Number	HUD Program	Funding Amount
B-21-DZ-41-0001	CDBG-DR	$ 422,286,000 (Entire Oregon Allocation)

Estimated Total HUD Funded Amount: $198,551,591 (Homeowner Assistance and Reconstruction Program – 8 Impacted Counties)

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** $198,551,591
$198,551,591 (Homeowner Assistance and Reconstruction Program – 8 Impacted Counties)

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	The purpose of 24 CFR Part 51D is to promote compatible land uses around civil airports and military airfields. It is HUD policy to not provide any assistance to projects and actions in Runway Protection, Accident Potential, or Clear Zones if the project is frequently used or occupied by people. To ensure compatible land use development, the site's proximity to civil and military airports must be determined. In accordance with 24 CFR 51.301(c), civil airports are defined as commercial service airports designated by the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS). There are no commercial service airports in Linn County. The nearest commercial service airport (Eugene Airport) is located approximately 40 miles southwest of Linn County. Several small airports are located in the county, but none are categorized as commercial service airports. HUD regulations also include restrictions on construction and major rehabilitation in clear zones and accident potential zones associated with runways at military airfields. There are no known military clear zones or accident potential zones in Linn County. See **Attachment B** for Airport Map. **No further assessment is required.** **The proposed project is in compliance with the Airport Hazards requirement.**

Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	The Coastal Barrier Resources Act applies to coastal barriers along the Atlantic Ocean, the Gulf of Mexico, the Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. Oregon is located outside of the Coastal Barrier Resource System. See **Attachment C** for Coastal Barrier Resources Map. **No further assessment is required.** **The proposed project is in compliance with the Coastal Barrier Resources Act.**
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☒ No ☐	The Flood Disaster Protection Act of 1973 requires that projects receiving federal assistance be covered by flood insurance if they are located in a Special Flood Hazard Area (SFHA) as designated by FEMA. If a property is located in a SFHA on a National Flood Insurance Program map, the homeowner is required to maintain flood insurance. Linn County participates in the NFIP (with the exception of the City of Sodaville). Each property will be mapped at the site-specific level to determine NFIP requirements. See **Attachment D** for Oregon Communities Participating in the National Flood Program. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	The Clean Air Act is administered by the U.S. Environmental Protection Agency (USEPA) which sets National Ambient Air Quality Standards. The Oregon Department of Environmental Quality (DEQ) administers and enforces air quality in accordance with the State Implementation Plan. Emissions associated with the proposed actions are limited to use of residential and small construction equipment and are estimated to be well below the threshold when compared to the federal General Conformity Rule de minimis thresholds.

		Linn County is in attainment for all six National Ambient Air Quality Standards. (NAAQS) listed below. • ozone (1-hour and 8-hour standards), • carbon monoxide, • lead, • nitrogen dioxide, • sulfur dioxide, and • particulate matter (2.5 micron and 10-micron standards). Emission Methodology - As Linn County is not listed as a Nonattainment area, a determination of emissions as they compare to NAAQS is not required. The U.S. Environmental Protection Agency and Oregon Department of Environmental Quality was notified of project intent on August 3, 2022. To date, no response has been received. See **Attachment E** for Agency Consultation, Source Review and Maps. **No further assessment is required.** **The proposed project is in compliance with the Clean Air Act.**
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	The Coastal Zone Management Act applies to areas of Oregon's Coastal Zone. The Oregon coastal zone includes the state's coastal watersheds and extends seaward three nautical miles and inland to the crest of the coast range, with a few exceptions: • Along the Umpqua River, where it extends upstream to Scottsburg; • Along the Rogue River, where it extends upstream to Agness; and • In the Columbia River Basin, where it extends upstream to the downstream end of Puget Island. Linn County is an inland county and does not border the Pacific Ocean. Therefore, Linn County is not included as part of the Oregon Coastal Management Program. The Oregon Department of Land Conservation has agreed with HUD that HUD projects outside of the

		coastal zone are not subject to federal consistency review as part of the Coastal Zone Management Act of 1972. See **Attachment F** for HUD Coastal Zone Management worksheet and for Coastal Zone Management Map. **No further assessment is required.** **The proposed project is in compliance with the Coastal Zone Management Act.**
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☒ No ☐	HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property or conflict with the intended utilization of the property. To identify sites near the proposed project location that have hazardous materials, contamination, toxic chemicals, gases, and radioactive substances as specified in 24 CFR 58.5(i), a review of web-based data information will be conducted for each site; including EPA's Geographic Information System (GIS) database. The review includes an examination of EPA's Superfund List, National Priorities List (NPL), Toxics Release Inventory, Brownfields, Air Facility Systems, and Hazardous Waste (RCRA) databases, including NEPAssist. Information from the Oregon DEQ Environmental Cleanup Site Information Database will also be reviewed. Based upon these reviews, the State will determine as to whether the homeowner's property lies within a distance (3,000 feet) of a facility that handles or otherwise disposes of a hazardous material or toxic substance. **Radon** Linn County is in a Zone 3 – Low Potential for Radon. At the time of this writing HUD is in process of considering rulemaking to establish radon testing and mitigation requirements for HUD-assisted projects through CPD-21-136. The notice will not impose radon testing requirements; however, it does include guidance on strategies for considering radon in the site contamination analysis. As radon is a radioactive substance, it must be considered as

		part of the site contamination analyses and will be completed at the site-specific level for the ReOregon Program. There are several methods that can be used to determine radon risk to occupants, any of which or combination of which, may be use at the site-specific level. These include do-it-yourself (DIY) radon test kits, professional radon testing, and scientific data review. When radon testing determines indoor air radon levels are at or above 4 piC/L or the scientific review determines the project site is located in an area impacted by high radon levels, the site-specific review must include a mitigation plan. When the determination is based on a scientific data review, if feasible, HUD recommends conducting radon testing to confirm radon levels in the building. All reconstructions should be completed using radon resistant new construction (RRNC). **Asbestos, Lead-Based Paint, and Mold** It is HUD policy that all occupied structures proposed for inclusion in HUD-funded programs be free of hazardous materials that could affect the health of the occupants. Structures to be reconstructed or rehabilitated in the ReOregon program (Linn County) may include lead-based paint and materials containing asbestos. These are hazardous materials that could affect the health of residents. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including, but not limited to the following: • National Emission Standard for asbestos, standard for demolition and renovation, 40 CFR 61.145. • National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150. According to Oregon DEQ, all residential buildings constructed prior to Jan 1, 2004: • Must have an asbestos survey conducted by an accredited asbestos inspector prior to demolition and renovation activities.

		• A copy of the asbestos survey report must be on-site during all renovation or demolition activities and must be provided to DEQ upon request. • All nonfriable materials must be packaged the same as friable waste. Friable materials are those that can be easily crushed, crumbled, or pulverized release asbestos fibers. • All asbestos survey bulk samples must be analyzed by a laboratory that participates in a nationally recognized accreditation program. • When complete demolition or extensive renovation is planned, an asbestos survey of the entire facility is required. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J. These regulations apply to pre-1978 homes. Mold should not be a problem in houses that are demolished and reconstructed but could be present in homes to be rehabilitated. All residential structures funded under the ReOregon program (Linn County) must be remediated for mold (if necessary) in accordance with any State and local requirements. Consultation for Tier I deemed not necessary. A review of all sites in the various databases from EPA, such as NEPAssist, and Oregon databases will be required as part of each Tier II site-specific determination. Depending upon the findings, coordination may be required with the US EPA Region 10 and/or Oregon DEQ. Any correspondence and/or documentation regarding those findings will be included in the site-specific review. See **Attachment G** for Hazardous Waste Sites Map. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**

Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☒ No ☐	The Endangered Species Act (ESA), as amended, and its implementing regulations provide federal agencies with a mandate to conserve threatened and endangered (T&E) species and ensure that any action they authorize, fund, or implement is not likely to jeopardize the continued existence of a T&E species in the wild or destroy or adversely modify its critical habitat. Under Section 7 of the Endangered Species Act (ESA), the environmental review must consider potential impacts of the HUD-assisted project activities to T&E species for animals, plants, and critical habitats. The review must evaluate potential impacts not only to any listed, but also to any proposed or candidate, endangered or threatened species and critical habitats. Project activities that affect T&E species or critical habitats require consultation with the US Fish and Wildlife Service (USFWS), the Oregon Department of Fish and Wildlife, or the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service/National Marine Fisheries Service (NMFS), in compliance with the procedure of Section 7 of the ESA. Project locations in Linn County could potentially impact resources managed or regulated by the U.S. Fish and Wildlife Service (FWS), National Marine Fisheries Service (NMFS), and/or the Oregon Department of Fish and Wildlife (ODFW). In Linn County there are 13 threatened, endangered, candidate species and 3 critical habitats managed or regulated by the USFWS. In addition to these federally listed species, the ODFW has identified 4 species classified as endangered, threatened, or official candidate under the Oregon Endangered Species Act. USFWS and NOAA were contacted on August 3, 2022, with no response received. NMFS consultation will be discussed in the Magnuson-Stevens Fishery Conservation and Management Act section below. All project sites will be mapped at the site-specific level to determine their location in relation to T&E species. If it is determined that the project may affect any listed species, further

		consultation may be required. Site specific review will follow HUD guidance found at Environmental Guidance | HUD.gov / U.S. Department of Housing and Urban Development (HUD) See **Attachment H** for USFWS, NOAA and NMFS Consultation, IPaC Report, Oregon Endangered Species List, Endangered Species and Critical Habitat Map, and Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**
Magnuson-Stevens Fishery Conservation and Management Act 16 U.S.C. 1801	Yes ☒ No ☐	Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Federal agencies to consult with NOAA Fisheries (National Marine Fisheries Service) on any action that they authorize, fund, or undertake that may adversely affect essential fish habitat (EFH). Most watersheds in Oregon are within or upstream of a waterbody occupied by an ESA-listed species or designated as critical habitat/EFH. Essential fish habitat is the same throughout the state. If the proposed project will discharge stormwater that reaches a receiving water, the project may adversely modify EFH for Pacific Salmon and Groundfish. 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. 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. OHCS anticipates that all rehabilitation and reconstruction projects in Linn County will have an impact finding of *Likely to Adversely Affect*

		(LAA). OHCS will evaluate proposed actions at the site-specific level and reach a finding of effect. To aid in reaching an appropriate finding OHCS, will utilize the *Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon* (2022), prepared jointly by NMFS and the U.S. Fish & Wildlife Service. Actions that reach a finding of *No Effect* do not require consultation with NMFS. Projects that cannot meet the criteria for a *No Effect* finding will be evaluated by OHCS, through the *Programmatic Biological Opinion (PBO) for HUD Housing Programs in Oregon* (NMFS 2016). For site-specific projects that cannot reach a "No Effect" OHCS will evaluate projects that may affect ESA and MSA resources and will submit their determination and supporting documentation to NMFS for review, per the mechanisms described in the HUD PBO. Supporting documentation includes Action Notification Form, Stormwater Information Form, Stormwater Management Plan, and any other relevant information. NMFS will then review the submitted action for consistency with the HUD PBO. An action found to be consistent with the HUD PBO will be determined to have fulfilled its ESA and MSA obligations. Actions that do not reach a finding of *No Effect* and cannot meet the criteria established in the HUD PBO will require OHCS to enter into formal consultation with NMFS to meet the ESA and MSA obligations. OHCS received concurrence to utilize the 2016 HUD Biological Opinion for the ReOregon Program from NMFS on October 6, 2023. See **Attachment H** for USFWS, NOAA and NMFS Consultation, IPaC Report, Oregon Endangered Species List, Endangered Species and Critical Habitat Map, and Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**

Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	The definition of "HUD-assisted project" at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. The proposed project will not increase residential densities as they are single-family owner-occupied rehabilitation and reconstruction projects. Therefore, activities to reconstruct or rehabilitate housing that existed prior to the wildfire are not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C where the number of dwelling units is not increased, and the activities are limited to the general area of the pre-existing footprint. See **Attachment I** for HUD worksheet. **No further assessment is required.** **The proposed project is in compliance Explosive and Flammable Hazards.**
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	The purpose of the Farmland Protection Policy Act (7 U.S.C. 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended) is to minimize the effect of Federal programs on the unnecessary and irreversible conversion of farmland to nonagricultural uses. The Act does not apply to projects already in or committed to urban development or those that could otherwise not convert farmland to non-agricultural uses. Rehabilitation of an existing structure or reconstruction of a like structure in the same location would constitute a "no effect" as these projects would not convert farmland to nonagricultural purposes. This program will provide grants to eligible homeowners to rehabilitate or reconstruct homes damaged or destroyed by the 2020 wildfires. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner. Project activities do not involve farmland conversion and take place on land that was already committed to urban development.

		The Natural Resources Conservation Service was consulted on August 3, 2022. To date no response has been received. See **Attachment J** for Agency Consultation and HUD Farmland Protection worksheet. **No further assessment is required.** **The proposed project is in compliance with the Farmland Protection Policy Act.**
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☒ No ☐	HUD regulations require compliance with Executive Order 11988, Floodplain Management. Executive Order 11988 requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The purpose of this program is for owner-occupied homes to be rehabilitated or rebuilt on existing lots. Activities will take place on the previously developed parcel and are not expected to result in any permanent direct or indirect impacts to the floodplain. Each subject property will be evaluated for its proximity to floodplain at the site-specific level using FEMA issued Flood Insurance Rate Maps (FIRM) to evaluate flood risks and impacts. There are Preliminary Flood Insurance Rate Maps (PFIRM) issued for Linn County. A programmatic 8-step wetland/floodplain decision-making analysis was performed for the project to determine practicable alternatives to providing CDBG-DR assistance in these areas. This analysis is provided in **Attachment K** and contains a review of alternatives. The selected alternative, Alternative 1, allows for the reconstruction of homes previously located in the floodplain but destroyed by wildfire. All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial

		improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). If a structure is located in a 500-year floodplain, when feasible, the structure must be elevated 3 feet above the 100-year floodplain. OHCS will discourage the placement or reconstruction of housing in the SFHA, wherever practicable; however, there will be homes that will be rebuilt or replaced in the SFHA. OHCS will ensure that all rehabilitation of substantial damage will meet the HUD-required elevation standards through the construction requirements of all CDBG-DR residential programs. No CDBG-DR assistance will be used to replace, repair, or reconstruct homes located in the regulatory floodway. The early floodplain notice was published statewide in the Oregonian on December 23, 2022, and in the Albany Democrat-Herald on December 23, 2022. No comments were received on the Early Floodplain Notice. The final floodplain Notice was published statewide in the Oregonian on October 18, 2023. No comments were received on the Final Floodplain Notice. Linn County Planning & Building (LCPD) was contacted on August 3, 2022. LCPD responded on August 19, 2022, stating that any construction proposed within the SFHA will require a building permit and floodplain review with the Department, along with compliance with applicable floodplain development standards. Linn County Floodplain Management Code can be found in Attachment K. http://www.co.linn.or.us/cc/LCC%20870%20-%20Floodplain%20Management.pdf See **Attachment K** for Floodplain Map, 8-Step Documentation, and Agency Consultation.

		Please refer to the Site-Specific Checklist for each individual property for compliance documentation.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☒ No ☐	The National Historic Preservation Act of 1966, particularly Sections 106 and 110, protects historic properties from harm by federal agency programs. Section 106 review is detailed in 36 CFR Part 800 and will be followed during Tier Program activities. Each subject property will be evaluated to determine the year-built date of structures to be rebuilt. Properties over 45 years may be considered a historic property. For potentially historic properties and buildings, consultation with the Oregon State Historic Preservation Officer (SHPO) will be necessary to determine if the site is historic and if the undertaking will have adverse effects. Oregon SHPO was contacted on August 3, 2022, and again on January 25, 2023, which included an electronic submittal through the Go Digital Process. To date, no response has been received from SHPO. As such, Section 106 clearance will be obtained at the site-specific level using the HUD Region X guidance located at Environmental Guidance | HUD.gov / U.S. Department of Housing and Urban Development (HUD) and included in **Attachment L**. Native American tribes with potential cultural and traditional affiliations to Linn County (Confederated Tribes of Siletz Indians of Oregon, Confederated Tribes of Grand Ronde Community of Oregon, and Confederated Tribes of Warm Springs Reservation of Oregon) were contacted. No response was received from any of the Linn County affiliated Tribes. Oregon Historic Sites Map (state.or.us) See **Attachment L** for SHPO and Tribal Consultations. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet	Yes ☐ No ☒	The HUD Noise Abatement and Control requirements do not apply to any action or emergency assistance under disaster assistance provisions or appropriations which are provided

Communities Act of 1978; 24 CFR Part 51 Subpart B		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. This program provides grants to repair or replace disaster damaged or destroyed homes substantially as they existed prior to the wildfires, therefore it is exempt from HUD Noise and Abatement Control requirements per 24 CFR Part 51.101(a)(3)). See **Attachment M.** **No further assessment is required.** **The proposed project is in compliance with the Noise Abatement and Control.**
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	According to the U.S. Environmental Protection Agency's Sole Source Aquifers Protection Program, there are no Sole Source Aquifers in Linn County. See **Attachment N** for Sole Source Aquifer Map. **No further assessment is required.** **The proposed project is in compliance with the Safe Drinking Water Act section 1424(e).**
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☒ No ☐	Executive Order 11990 protects wetlands and requires federal activities to avoid adverse impacts to wetlands. Wetlands within Linn County were identified and mapped as shown in **Attachment O**. The purpose of this project is for owner-occupied homes to be rehabilitated or reconstructed on existing parcels. Any activities will take place in the previously developed parcel and are not expected to result in any new permanent direct or indirect impacts to wetlands. Nevertheless, each subject property will be evaluated for its proximity to wetland resources at the site-specific level. A Programmatic 8-step process was performed for potential floodplain and wetland impacts. The analysis is provided as in **Attachment K**. The selected alternative, Alternative 1, allows for reconstruction of homes located adjacent to wetlands but specifies minimum construction BMPs for

		protection of water quality and wetlands ecology. Best management practices (BMPs) for soil erosion and stormwater management will be applied as appropriate for protection of wetlands. The U.S. Army Corps of Engineers (South Pacific and Northwestern Divisions) were contacted on August 3, 2022. The Northwestern/Portland District responded on August 11, 2022, stating that "individuals and entities developing proposals to work in waters of the United States, including wetlands, should submit applications to the Portland District office for review." The South Pacific/San Francisco District responded on August 5th, 2022, stating that all permit requests should be submitted electronically to cespn-rg-info@usace.army.mil See **Attachment O** for Agency Consultations and Wetland Map. The 8-step document can be found in **Attachment K**. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☒ No ☐	There are approximately 110,994 miles of river in Oregon, of which 2,173 miles are designated as Wild & Scenic—roughly 2% of the state's river miles. The following rivers in Linn County have Wild & Scenic River designations. • Quartzville Creek – Designated Reach - From the Willamette National Forest boundary to the slack water of Green Peter Reservoir. Recreational — 12.0 miles. The Bureau of Land Management Northwest Oregon District is the managing agency. • McKenzie River – 12.7 miles designated as Recreational. Designated Reach - From Clear Creek to Scott Creek, not including Carmen and Trail Bridge Reservoir Dams. The U.S. Forest Service and Willamette National Forest are managing agencies. Oregon Parks and Recreation Department (ORPD) was contacted on November 3, 2022.

		Oregon Parks and Recreation responded on November 29, 2022. According to ORPD the following Oregon State Scenic Waterways located in Linn County could overlap with properties selected for the Program. • McKenzie River Projects within the State Scenic Waterway boundaries listed above shall notify ORPD in advance of the proposed improvements. Once individual project sites are identified ORPD must be notified if the project sites overlap the above designations. ORPD will determine which applications will require formal notification. Construction of residential structures lost to fire is permissible provide the structure meets the other requirements as described in rule and meets County Ordinance. However, notification and review by ORPD is required. National Parks Service contacted August 3, 2022. No response was received. See **Attachment P** for Agency Consultations and Wild and Scenic Rivers Map. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**
ADDITIONAL STATUTORY AUTHORITIES NOT LISTED IN 24 CFR 58.5		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☒ No ☐	The proposed activities for Linn County are to rehabilitate and reconstruct single-family homes for low- to moderate- income individuals that were impacted during November 2020 wildfires. These activities are to return residents to their homes, essentially rebuilding the disaster impacted neighborhoods. The rebuilding activities will improve the condition of the housing, making it more durable, energy-efficient, fire-resistant, and safe from mold, asbestos, and lead-based paint. Low- to moderate-income (LMI) households would receive significant benefits from this program. Based upon the Program, there should be no environmental issues that would disproportionately affect LMI and/or minority

		populations. However, Environmental Justice will be analyzed at the site-specific level once all sections of the site-specific statutory checklist are completed to determine if the project may adversely impact a low-income or minority community. No sites will be approved if they have the ability to disproportionately affect low-income or minority population. See **Attachment Q** for EJ Documents. **Please refer to the Site-Specific Checklist for each individual property for compliance documentation.**

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features, and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
Climate & Energy		
Climate Change	**1**	The program will reconstruct homes that will have an increased resilience to climate-related natural hazards. All housing constructed under the ReOregon program will be built to as strong a fire resistance standard as practicable. Fire-resistant roofing and building materials will help structures potentially withstand wildfires. The program will encourage residents to create defensible zones around their homes, such as clearing vegetation, debris, and any combustible materials in an effort to slow the spread of wildfires should one occur.

Energy Efficiency	**1**	To ensure energy efficiency in all new construction, reconstruction, and replacement activities, OHCS will adopt one of the standards allowed by HUD and/or more strict standards required by the State of Oregon. These standards will be detailed in program guidelines (program guidelines have not been fully established to date). For example, OHCS may adapt the practices and requirements carried out through the Oregon Department of Energy's Energy Efficient Wildfire Rebuilding Incentive Program. This program incentivizes energy efficiency in the reconstruction or replacement of damaged housing at or above the applicable building codes. Incorporating these energy efficiency improvements help make structures more comfortable and support long-term affordability through lower energy bills. To the extent practicable and at a reasonable cost, the State will build the home to an above-code standard, such as the Oregon Residential Reach Code, which provides an additional choice for builders, consumers, and contractors to increase energy efficiency for the construction of structures regulated by the Oregon Residential Specialty Code. For repairs, the State will use the HUD CPD Green Building Retrofit Checklist and will attempt to add additional energy efficiency components when practicable and/or of reasonable cost. In all construction activities administered by the State, the State will use mold-resistant products when replacing surfaces such as drywall.

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	**2**	The proposed action would rehabilitate or reconstruct single-family home in the same footprint or on the same parcel consistent with current local plans and zoning ordinances. The proposed action will replace disaster destroyed housing stock. All single-family housing projects will be rehabilitated / reconstructed /constructed in accordance with local land use and zoning ordinances. Housing density will not change, will comply with local planning ordinances, and be compatible with existing developments and compatible with nearby uses surrounding the site. Construction will be performed in conformance with local comprehensive plans and zoning ordinances including the Linn County Building and Land Development Code and similar plans in the County's municipalities. The proposed action sites would maintain current land use and would therefore be compatible with surrounding and existing land uses.

		The contractor will obtain all permits from the appropriate department prior to construction activities. (**Refer to Tier II: Site-Specific Project Review form for each individual property documentation**)
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	**2**	Unsuitable soils are not expected to affect the proposed projects. Any soil issues that may have posed issues on previously disturbed parcels should have been addressed during initial construction activities. In the instance where the proposed action includes reconstruction, soil suitability will be assessed prior to construction and will be addressed during local permitting processes. For proposed activities that include reconstruction, the parcel will be evaluated prior to construction activities and best management practices will be implemented to reduce possible erosion impacts where slope conditions may exist. Linn County is located in a moderate landslide risk level according to the ReOregon Action Plan. A determination will be made regarding landslides, earthflows and debris flows at the site-specific level. Design and construction approval will be coordinated with the local building and/or planning department. (**Refer to Tier II: Site-Specific Project Review form for each individual property documentation**)
Hazards and Nuisances including Site Safety and Noise	**3**	Hazards and nuisances and site safety during construction will be assessed on a site-by-site basis. Contractors will be required to provide health and safety plans and monitoring during construction. Proposed project activities would result in ambient noise levels being temporarily elevated in the areas around each construction site. Temporary noise impacts would be mitigated to the extent feasible. The Program is not expected to have impacts on long-term ambient noise levels as future noise levels at the home sites are expected to be similar to levels before the disasters occurred. (**Refer to Tier II: Site-Specific Project Review form for each individual property documentation**)

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	**1**	Employment and income patterns in Linn County will be positively affected by the proposed Program. Repopulation of the disaster-impacted areas will return income base and employment as business activity returns to pre-disaster levels. Additionally, the proposed program would help to alleviate the financial burden from homeowners for the repair / reconstruction of their home.
Demographic Character Changes, Displacement	**2**	The proposed project will not significantly alter the demographic characteristics of the communities involved. The proposed project will allow community members to return to their previous residences and communities. The proposed Program will not cause direct or indirect displacement. The Program will instead allow for the return of residents who had been displaced by the wildfires.
Environmental Justice	**1**	The proposed activities will rehabilitate and rebuild single-family homes for low- to moderate- income individuals that were impacted during the 2020 wildfires. These activities are to return individuals to their homes, essentially rebuilding the impacted neighborhoods. The rebuilding activities will improve the condition of the housing, making it more durable, energy-efficient, and safe from mold, asbestos, and lead-based paint. Low to moderate income households will receive significant benefits from this program. This program does not create any adverse environmental impacts disproportionate for the low-income and/or minority community.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	**2**	The proposed rehabilitation/reconstruction project would not result in adverse effects on the educational or cultural facilities in Linn County. The proposed action would allow previous residents to return to their homes. There will be no significant adverse effects on educational facilities as new residences are not being added, only existing structures being repaired or reconstructed.
Commercial Facilities	**2**	The proposed action would allow previous residents to return to their homes in the disaster-impacted area which would increase demand for local goods and services and support local commercial facilities.

		Those businesses and commercial facilities that support the residential construction industry and its workforce could see a temporary increase in demand during implementation of the Program.
Health Care and Social Services	**2**	The proposed action would return residents to impacted areas and would not create new demand for health care and social services that did not exist before the wildfires occurred. It is expected that these facilities should be able to provide services at pre-disaster levels, after a period of adjustment. Therefore, no significant impacts to health care and social services are anticipated.
Solid Waste Disposal / Recycling	**3**	The proposed action would result in generation of construction and demolition waste in the short-term. All solid waste would be responsibly managed and disposed of or recycled in accordance with applicable regulations. There is a possibility that the project could overload design capacities of local facilities. The intent, therefore, is to recycle some demolition wastes (concrete, wood, etc.) to lessen the impact on the landfills until other arrangements are made. The proposed activities would return residents to impacted areas and would not create new demand for long-term solid waste/recycling collection and disposal services.
Wastewater / Sanitary Sewers	**2**	The proposed action would return residents to impacted areas and would not create new demand for wastewater collection and treatment services that did not exist before the wildfires occurred. Reconstructed houses are expected to utilize existing (or restored) septic systems or existing sewer service. Any existing septic systems will be inspected to ensure they function properly. Systems will be repaired or replaced as needed to restore function and meet applicable local and county codes.
Water Supply	**2**	The returning homeowners will cause increases in the demand for water in the target area; however, the number of homes contributing to water supply demand will be similar to those that existed prior to the wildfires.
Public Safety - Police, Fire and Emergency Medical	**2**	The proposed action would return residents to their homes in impacted areas and would not create new demand for public safety services including police, fire, and emergency medical that did not exist before the wildfires occurred. It is expected that these facilities should be able to provide services at pre-disaster levels, after a period of adjustment. Therefore, no significant impacts to public safety services are anticipated.
Parks, Open Space and Recreation	**2**	The proposed action would return residents to their homes and would not introduce new residents to the impacted counties, therefore there would be no change to the demand for parks, open space and recreation from pre-disaster levels.

		Construction activities would occur on previously zoned and developed lots and would not adversely impact open space.
Transportation and Accessibility	**2**	The proposed action consists of the rehabilitation and reconstruction of disaster damaged homes and will not result in changes to public transportation relative to current conditions. Slight increases to ridership may occur on public transportation but would not increase levels or demand relative to conditions prior to the wildfires.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	**2**	The proposed action consists of the rehabilitation and reconstruction of disaster-damaged houses on previously developed lots and would not have impacts on unique natural features or water resources.
Vegetation, Wildlife	**2**	Construction activities would occur on previously developed lots that were damaged by wildfires. Significant impacts to vegetation or wildlife due to rehabilitation/reconstruction activities are not anticipated, although site-specific pre-construction biological surveys and/or monitoring during construction would be required if sensitive vegetation and wildlife species are observed during the Tier 2 onsite surveys. (**Refer to Tier II: Site-Specific Project Review form for each individual property documentation**)

Additional Studies Performed: No additional studies were performed for the preparation of this document.

Field Inspection: Field inspections to be completed at the Site-Specific level.

List of Agencies Consulted [40 CFR 1508.9(b)]**:**

Agency	Person
Oregon Department of Environmental Quality	Ali Mirzakhalili, Air Quality Administrator
Oregon Department of Land Conservation and Development	Patty Snow, Oregon Coastal Management Program Manager / Jeff Burright, Coastal State-Federal Relations Coordinator
United States Fish and Wildlife Service	Jeff Dillon, Endangered Species Division Manager
NOAA Fisheries Service	Rosalie del Rosario, West Coast Region Endangered Species Act Section 7 Consultations Coordinator

National Marine Fisheries Services	Brad Rawls, Consultation Biologist
Natural Resources Conservation Services	Ron Alvarado, State Conservationist
FEMA Region 10	Mark Eberlein, Regional Environmental Officer
Linn County Planning & Building	Alyssa Boles, Planning Manager
Oregon State Historic Preservation Officer	Ms. Lisa Sumption, State Historic Preservation Officer
Confederated Tribes of Siletz Indians of Oregon	Delores Pigsley, Tribal Chairperson
Confederated Tribes of the Grand Ronde Community of Oregon	Christopher Bailey, Cultural Protection Specialist
Confederated Tribes of the Warm Springs Reservation of Oregon	Robert Brunoe, Tribal Historic Preservation Officer
US Corp of Engineers Northwestern Division	Mr. Bill Abadie, Portland District Regulatory Branch Chief
US Corp of Engineers South Pacific Division	Division Chief
Oregon Parks & Recreation	Laurel Hillmann, Natural Resource Specialist
National Park Service	Susan Rosebrough, Regional Coordinator
HUD Region 10	Brian Sturdivant, Regional Environmental Officer
EPA Region 10	Rebecca Chu, Manager, Policy, and Environmental Review Branch

List of Sources Consulted [40 CFR 1508.9(b)]:

https://www.hud.gov/states/shared/working/r10/environment

https://www.epa.gov/green-book

https://www.fws.gov/program/coastal-barrier-resources-act/maps-and-data

https://www.fema.gov/cis/OR.html

https://www.oregon.gov/lcd/OCMP/Pages/Coastal-Zone.aspx

https://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/ecsi.aspx

https://www.deq.state.or.us/lq/tanks/lust/LustPublicLookup.asp

https://www.epa.gov/nepa/nepassist

https://www.epa.gov/mold

https://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Information.aspx

https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1557

https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/HEALTHYNEIGHBORHOODS/LEADPOISONING/Pages/Lead-BasedPaintRegulations.aspx

https://www.dfw.state.or.us/wildlife/diversity/species/threatened_endangered_candidate_list.asp

https://www.oregon.gov/oda/programs/PlantConservation/Pages/ListedPlants.aspx

https://www.fisheries.noaa.gov/topic/consultations#endangered-species-act-consultations

Klamath River Basin (usda.gov)

https://ipac.ecosphere.fws.gov/

https://www.nrcs.usda.gov/wps/portal/nrcs/site/or/home/

Oregon Health Authority : Radon Mitigation : Radon Gas : State of Oregon

https://www.co.linn.or.us/planningbuilding

https://www.oregon.gov/oprd/oh/pages/default.aspx

https://egis.hud.gov/TDAT/

https://www.oregon.gov/odot/data/pages/index.aspx

https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control/

https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b

https://www.nwp.usace.army.mil/

https://www.spd.usace.army.mil/

https://www.oregon.gov/oprd/prp/pages/ssw-notification.aspx

https://www.nps.gov/orgs/1912/index.htm

Oregon Secretary of State Administrative Rules

https://www.epa.gov/ejscreen

https://gacc.nifc.gov/nwcc/content/pdfs/archives/2020_NWCC_Annual_Fire_Report.pdf

List of Permits Obtained:

All necessary permits will be acquired at the site-specific level.

Public Outreach [24 CFR 50.23 & 58.43]**:**

OHCS, as the responsible entity, prepared a Finding of No Significant Impact FONSI notice using the current HUD-recommended format to present a finding of no significant impact to the public. The FONSI notice was published concurrently with NOI/RROF required by § 58.70. The combined notice clearly indicates an intension to meet two separate procedural requirements and advises the public to specify which part of the Notice they are addressing. No comments were received. Outreach included email notification to known interested individuals and groups including the appropriate Tribal, local, State and Federal agencies. The Notice was published in the Oregonian paper. **See Attachment R.**

Cumulative Impact Analysis [24 CFR 58.32]**:**

The federal Council on Environmental Quality's (CEQ) regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA), set forth at 40 CFR Part 1508.7, require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects. Cumulative impacts result from the incremental consequences of an action (the Proposed Action) when added to other past, present, and reasonably foreseeable future actions (40 CFR 1508.7).

The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. Based upon the completion of this environmental assessment, environmental review of the proposed project indicates that there will be no significant changes to the existing environmental conditions across the impact categories implemented by HUD in response to NEPA. The proposed project is to rehabilitate or reconstruct homes on existing residential lots. The proposed project would have no impacts on climate

and energy, energy consumption, community facilities and services, transportation, and unique natural features.

The project would result in beneficial impacts to comprehensive plans and zoning; compatibility and urban impact, hazards, and nuisances, including site safety; and visual quality.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Alternative 1: Perform Home Rehabilitation/Reconstruction and MHU Replacement in the 100-year floodplain, but not in the Floodway.

Alternative 1 (**Proposed Action**) appears to be the best option as it allows the maximum number of homes to be repaired and/or reconstructed under the program. The program is designed to recover the affordable housing that was damaged or destroyed by the 2020 Wildfires. Homes that were previously built in a floodplain and destroyed by wildfire may be rehabilitated and/or reconstructed on the same site. All mitigation measures listed in Step 5 must be followed for rehabilitation, reconstruction and MHU replacement in the 100-year floodplain. Homes that were in the floodway may not be rebuilt under the OHCS Program. Based on FEMA IA data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. Therefore, it is likely that the majority of homes in the Program will not be located in the 100-year floodplain.

No construction activities will be allowed in existing wetlands. However, there may be homes in the Program that are wetland adjacent. For those properties, the mitigation measures listed in Step 5 must be incorporated into the site-specific work plans.

Alternative 2: All Single-family Homes Selected for the Program Must be Outside the 100-year Floodplain.

This option, while it allows OHCS to avoid any elevation requirements for reconstruction in the 100-year floodplain, does not allow the maximum number of homeowners to be served by the Program. This option would deny aid to willing very low-, low-, and moderate-income homeowners to receive repairs or reconstruction of their disaster impacted homes and deny opportunities to aid with actions that restore neighborhoods by preserving the quality and property value of homes. This option does not promote the OHCS disaster funding goal, which is to help communities and neighborhoods that otherwise might not recover due to limited resources.

Alternative 3: Relocating Homes Outside the Floodplain.

The benefits of performing residential reconstruction, rehabilitation, and elevation activities on the currently occupied sites include, but are not limited to; sites are owned by the current residents, sites are adequately sized and are consistent with surrounding land uses and have already met the requirements for funding under the current program. A search for suitably sized, available sites outside the floodplain and/or adjacent to wetlands and the procurement of other sources of available funding would extend the amount of time that residents would be displaced. In addition, the approved Action Plan does not include a home-owner relocation or buy-out option.

No Action Alternative [24 CFR 58.40(e)]:

Under the No Action alternative, homeowners would not receive federal funding to provide for rehabilitated or reconstructed homes or MHU replacement under the ReOregon program. This option would deny aid to very low-, low-, and moderate-income homeowners to receive repairs or reconstruction of their disaster impacted homes and deny opportunities to aid with actions that restore neighborhoods by preserving the quality and property value of homes. This option does not promote OHCS's disaster funding goal which is designed to prioritize homeowners who continue to face recovery barriers because they have not had access to the resources, support services, and/or capacity to complete their recovery.

Summary of Findings and Conclusions:

Based upon completion of this environmental assessment, environmental review of the proposed project indicates there will be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969 listed below for Linn County.

- Airport Hazards (24 CFR Part 51 Subpart D)
- Coastal Barrier Resources (16 U.S.C. 3501)
- Clean Air Act (particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93)
- Coastal Zone Management Act (sections 307(c) & (d))
- Explosive and Flammable Hazards (24 CFR Part 51 Subpart C)
- Farmlands Protections (sections 1504(b) and 1541; 7 CFR Part 658)
- Noise Abatement and Control (24 CFR Part 51 Subpart B)
- Sole Source Aquifers (particularly section 1424(e); 40 CFR Part 149)

Based on completion of this environmental assessment, the following subjects require site-specific analysis before it can be concluded that the proposed project activities would have no significant environmental impacts on individual sites:

- Flood Insurance (42 USC 4001-4128 and 42 USC 5154a)
- Contamination and Toxic Substances (24 CFR Part 58.5(i)(2))
- Endangered Species (50 CFR Part 402)
- Floodplain Management (24 CFR Part 55)
- Historic Preservation (National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800)
- Wetland Protection (Executive Order 11990, particularly sections 2 and 5)
- Wild & Scenic Rivers
- Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801)
- Environmental Justice (Executive Order 12898)

A Tier II Site-Specific review must be completed prior to any construction activities occurring on a particular site. The Tier II Site Specific Review Sample Form can be found in **Attachment T**.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

The following mitigation measures are required as conditions for approval of the project, as applicable. Please refer to site-specific checklist for site-specific mitigation measures.

General

- Acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
- If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation as required by 24 CFR 58.47.
- All reconstructions will comply with the Oregon Residential Specialty Code (ORSC) increased construction standards for wildfire hazard mitigation if it has been adopted by the local jurisdiction.
- Construction projects will follow the Linn County recommendations for fire mitigation included within the local planning department.

Historic Preservation

- All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations at 36 CFR Part 800. Compliance with Section 106 will be achieved at the site-specific level through the procedures set forth using the HUD Region X guidance located at Environmental Guidance | HUD.gov / U.S. Department of Housing and Urban Development (HUD)
- If archeological deposits, including any stone tools, bones, or human remains, are uncovered, the project shall be halted, and the contractor shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The contractor will inform the Certifying Officer immediately and OHCS will consult with SHPO. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project complies with the National Historic Preservation Act (NHPA).

Floodplain Management and Flood Insurance

- All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation).
- All structures funded by the ReOregon CDBG-DR Program, if in, or partially in, the 100-year floodplain as shown on the Flood Insurance Rate Maps (FIRM) that are official (not Preliminary or Advisory) at the time of the issuance of the grant to the applicant, will be required to have flood insurance. The statutory period for flood insurance coverage may extend beyond project completion. For this Program, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 USC 5154a).
- Because the 2020 Wildfires were not a flooding event, the following flood insurance conditions **DO NOT** apply:
    - HUD-assisted homeowners for a property located in an SFHA must obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program. The grantee may not provide disaster assistance for the repair, replacement, or restoration of a property to a person who has received federal flood disaster assistance that was conditioned upon obtaining flood insurance and then that person failed to obtain or allowed their flood insurance to lapse for the property. The grantee is prohibited by HUD from providing CDBG-DR assistance for the rehabilitation or reconstruction of a house if:

- The combined household income is greater than 120% of the area median income (AMI) or the national median,
- The property was located in a floodplain at the time of the disaster, and
- The property owner did not maintain flood insurance on the damaged property.

To ensure that adequate recovery resources are available to LMI homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance, homeowners may receive CDBG-DR assistance if:

- The homeowner had flood insurance at the time of the qualifying disaster and still has unmet recovery needs, or
- The household earns less than 120% of the AMI or the national median and has unmet recovery needs.

Wind

- All reconstructions must meet the requirements of the Oregon Residential Specialty Code for wind design.

Wetlands Protection and Water Quality

- Implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in onsite and offsite wetland and waters.
- Minimize soil compaction by minimizing activated in vegetated areas, including lawns.

Noise

- Outfit all construction equipment with operating mufflers.
- Comply with all applicable local noise ordinances.

Air Quality

- Use water or chemical dust suppressant in exposed areas to control dust.
- Cover the load compartments of trucks hauling dust-generating materials.
- Wash heavy trucks and construction vehicles before they leave the site.
- Employ air pollution control measures on all vehicles and equipment, as required by local ordinances.

Hazardous Materials

- All activities must comply with applicable federal, Oregon, and local laws and regulations regarding environmental protection and asbestos, including but not limited to the following:
  - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
  - Oregon DEQ Asbestos Rules
  - US Environmental Protection Agency
- All activities must comply with applicable federal, Oregon, and local laws and regulations regarding lead-based paint including, but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35.
- All residential structures must be treated for mold, if applicable.
- All new construction should be completed with Radon Resistant New Construction (RRNC). Radon mitigation needs will be determined at the site-specific level.

Green Building Standards

- All rehabilitations and reconstructions must meet an industry-recognized standard that has achieved certification under at least one of the following programs:
    - ENERGY STAR® (Certified Homes or Multifamily High Risk)
    - Enterprise Green Communities
    - LEED (New Construction, Homes, Midrise, Existing Building Operations and Maintenance, or Neighborhood Development)
    - ICC 700 National Green Building Standard®
    - U.S. Environmental Protection Agency (EPA) Indoor airPLUS
    - Equivalent or higher Oregon energy efficiency standards
    - Any other equivalent comprehensive green building standard program acceptable to HUD.

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: 11/4/23

Name/Title/Organization: Cliff Jarman, Senior Scientist, Tetra Tech

Certifying Officer Signature: _____ Date: 11/4/23

Name/Title: Ryan Flynn, Director, Disaster Recovery and Resilience,
Oregon Housing & Community Services

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

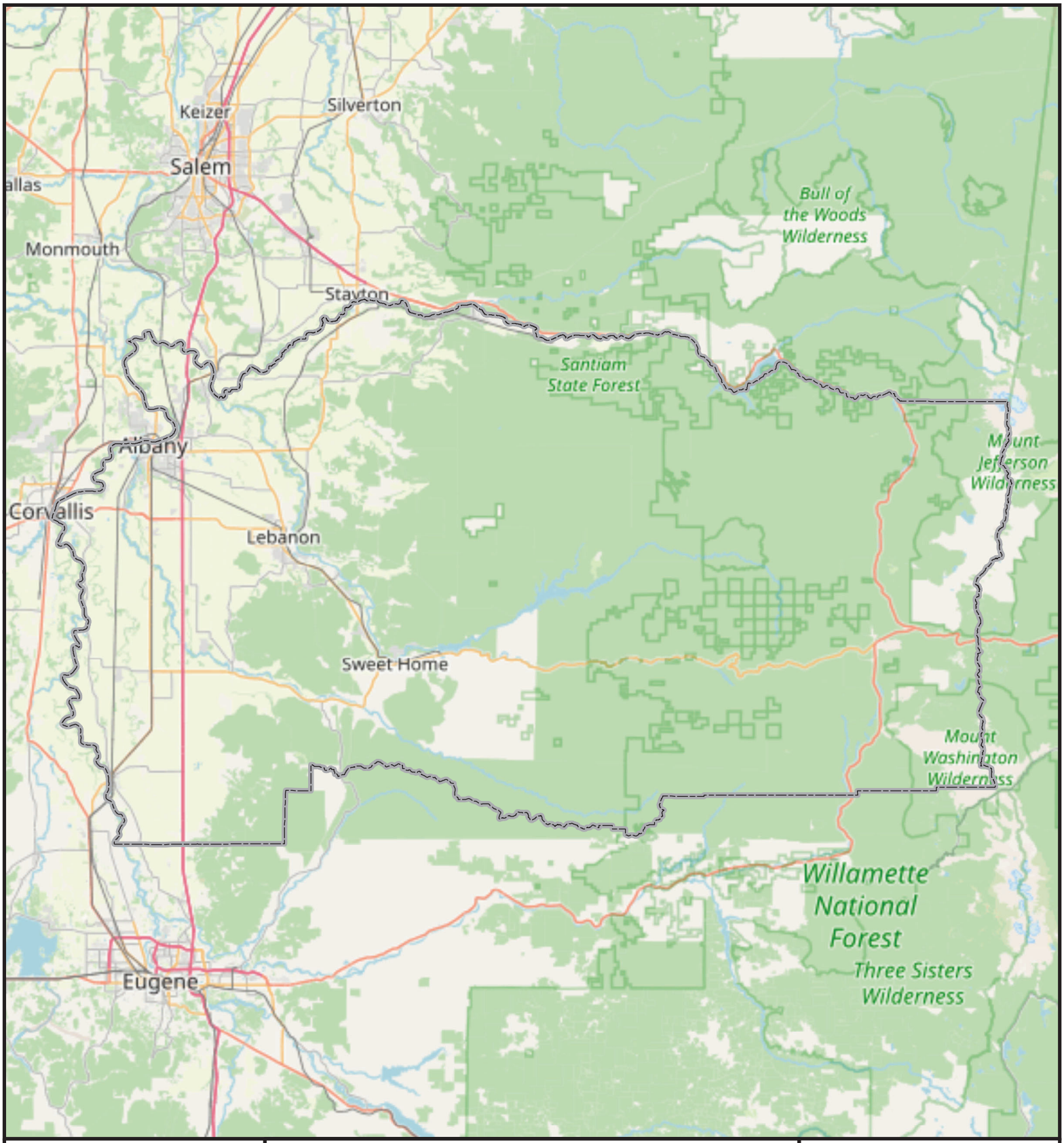
Tier I: Broad Environmental Review Record

Linn County

Attachments

ATTACHMENT A

Project Location Map



TETRA TECH

Tier 1 Environmental Review
Location Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Source: ESRI

N

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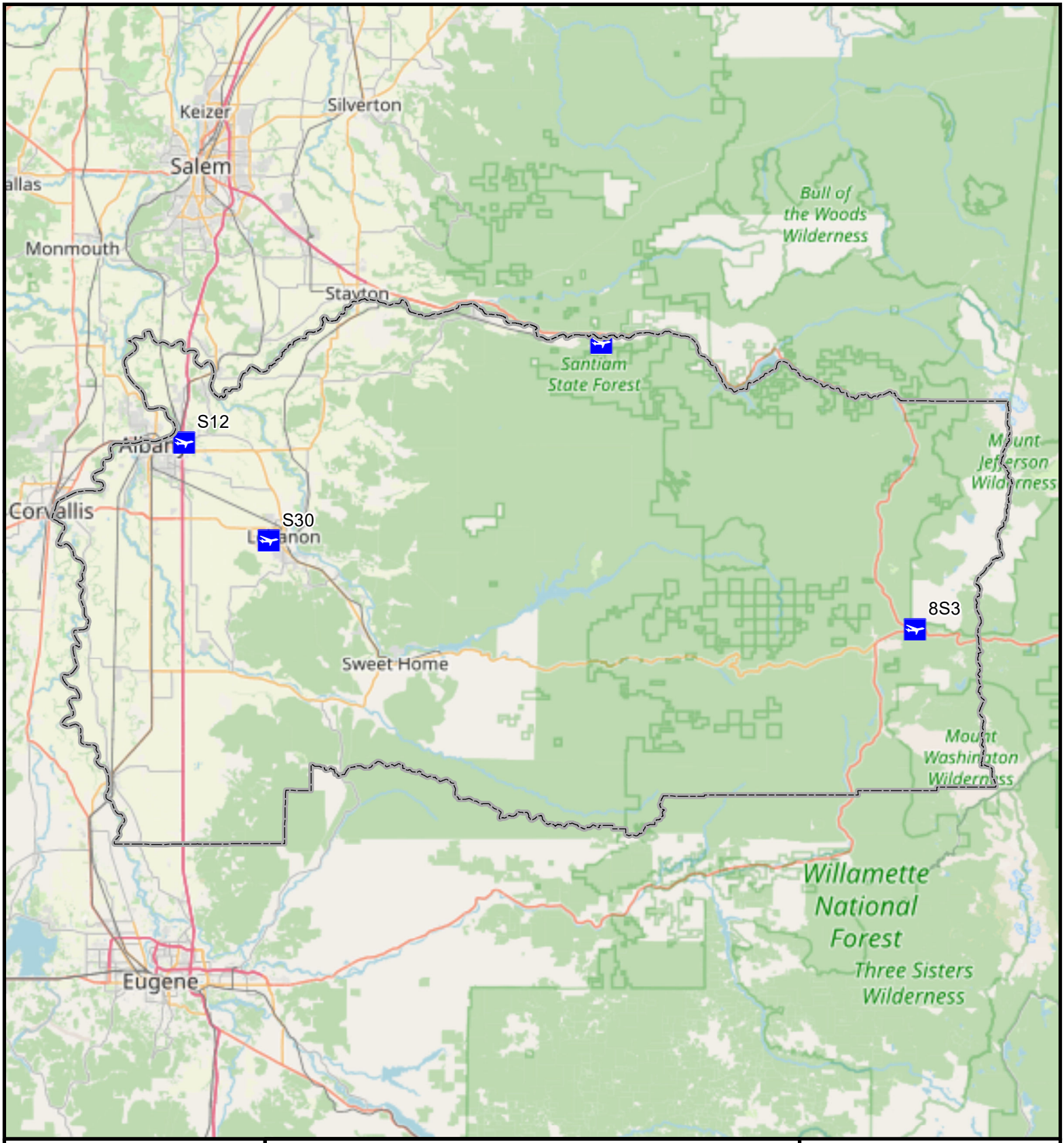
Miles

0 12.5 25

Kilometers

ATTACHMENT B

Airport Hazards



TETRA TECH

Tier 1 Environmental Review
Airport Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Airports

Source: FAA

N

0 5 10

Miles

0 12.5 25

Kilometers

Oregon

City	Airport	LocID	Owner-ship	Hub	Role	Category		Current Activity		2021-2025 Dev Estimate
						Current	Year 5	Enplaned	Based	
Albany	Albany Municipal	S12	PU		Local	GA	GA	0	66	$2,266,666
Ashland	Ashland Municipal-Sumner Parker Field	S03	PU		Local	GA	GA	36	59	$3,411,111
Astoria	Astoria Regional	AST	PU		Local	GA	GA	39	36	$1,322,222
Aurora	Aurora State	UAO	PU		National	GA	GA	126	396	$4,650,000
Baker City	Baker City Municipal	BKE	PU		Local	GA	GA	2	38	$1,155,555
Bandon	Bandon State	S05	PU		Local	GA	GA	1	34	$3,444,444
Bend	Bend Municipal	BDN	PU		National	GA	GA	41	237	$4,711,110
Boardman	Boardman	M50	PU		Unclassified	GA	GA	2	0	$0
Brookings	Brookings	BOK	PU		Local	GA	GA	0	21	$1,633,333
Burns	Burns Municipal	BNO	PU		Basic	GA	GA	1	13	$1,488,888
Cave Junction	Illinois Valley	3S4	PU		Local	GA	GA	1	18	$822,222
Chiloquin	Chiloquin State	2S7	PU		Basic	GA	GA	0	9	$2,155,183
Christmas Valley	Christmas Valley	62S	PU		Basic	GA	GA	0	0	$1,133,333
Condon	Condon State Pauling Field	3S9	PU		Basic	GA	GA	0	10	$966,666
Corvallis	Corvallis Municipal	CVO	PU		Regional	GA	GA	13	128	$3,911,111
Cottage Grove	Cottage Grove State	61S	PU		Local	GA	GA	0	44	$2,470,110
Creswell	Hobby Field	77S	PU		Local	GA	GA	0	91	$7,688,889
Eugene	Mahlon Sweet Field	EUG	PU	S		P	P	566,832	119	$123,985,066
Florence	Florence Municipal	6S2	PU		Local	GA	GA	0	25	$2,772,221
Gleneden Beach	Siletz Bay State	S45	PU		Basic	GA	GA	0	10	$4,007,888
Gold Beach	Gold Beach Municipal	4S1	PU		Basic	GA	GA	0	11	$2,501,853
Grants Pass	Grants Pass	3S8	PU		Regional	GA	GA	3	159	$3,527,778
Hermiston	Hermiston Municipal	HRI	PU		Regional	GA	GA	5	42	$6,258,100
Hood River	Ken Jernstedt Airfield	4S2	PU		Local	GA	GA	0	128	$1,153,333
Independence	Independence State	7S5	PU		Local	GA	GA	0	175	$3,680,683
John Day	Grant County Regional/ Ogilvie Field	GCD	PU		Basic	GA	GA	1	12	$7,988,888
Joseph	Joseph State	JSY	PU		Local	GA	GA	3	31	$1,702,222
Klamath Falls	Crater Lake-Klamath Regional	LMT	PU		Regional	GA	GA	49	82	$24,756,667
La Grande	La Grande/Union County	LGD	PU		Local	GA	GA	2	51	$5,322,222
Lakeview	Lake County	LKV	PU		Local	GA	GA	7	17	$1,544,444
Lebanon	Lebanon State	S30	PU		Local	GA	GA	0	46	$7,988,888
Lexington	Lexington	9S9	PU		Basic	GA	GA	1	11	$2,133,950
Madras	Madras Municipal	S33	PU		Local	GA	GA	5	54	$1,044,444
McDermitt	McDermitt State	26U	PU		Basic	GA	GA	0	0	$1,360,000
McMinnville	McMinnville Municipal	MMV	PU		Regional	GA	GA	77	120	$1,654,444
Medford	Rogue Valley International-Medford	MFR	PU	S		P	P	492,217	199	$23,099,340

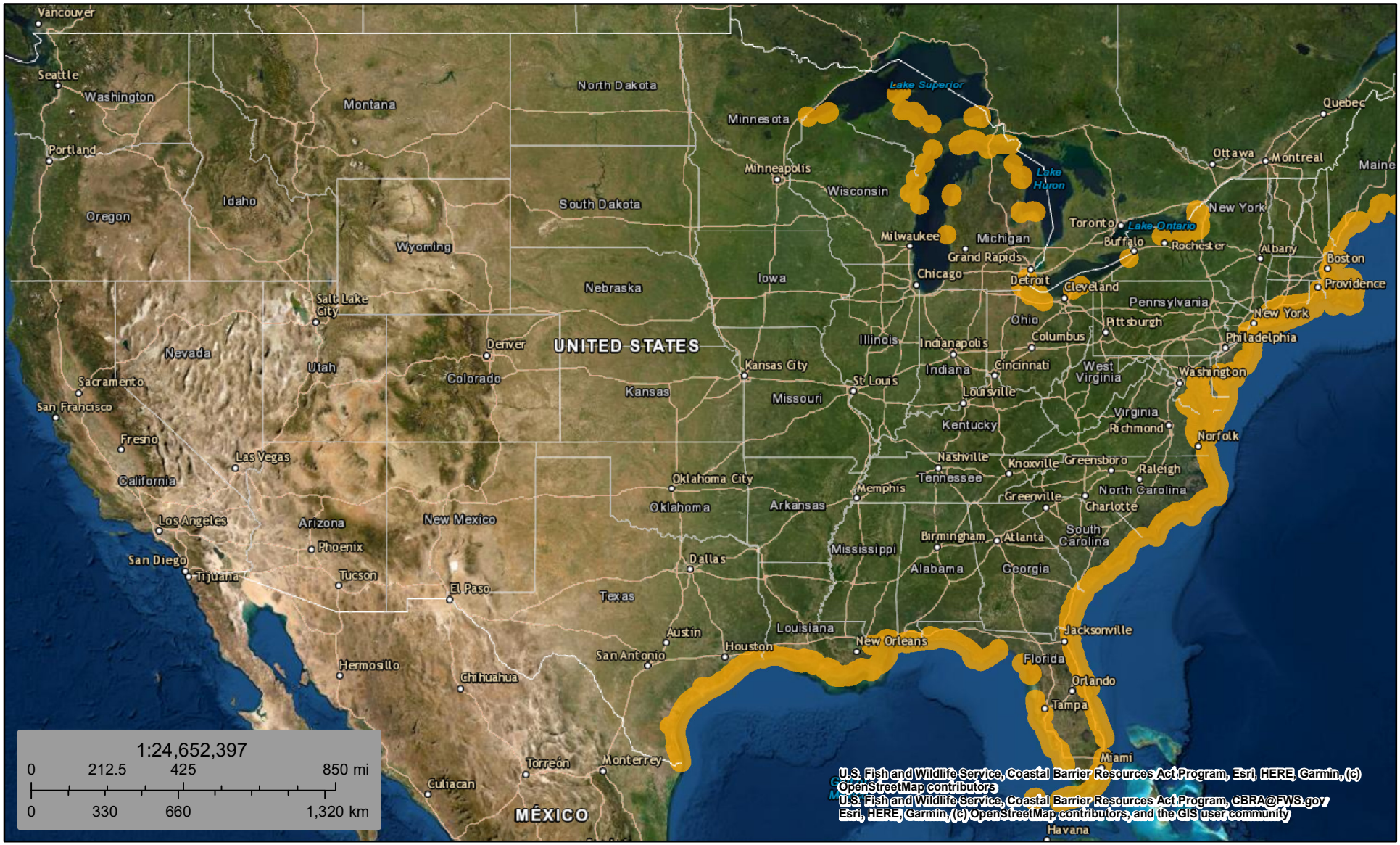
City	Airport	LocID	Owner-ship	Hub	Role	Category		Current Activity		2021-2025 Dev Estimate
						Current	Year 5	Enplaned	Based	
Myrtle Creek	Myrtle Creek Municipal	16S	PU		Basic	GA	GA	0	12	$855,555
Newport	Newport Municipal	ONP	PU		Regional	GA	GA	8	28	$1,711,111
North Bend	Southwest Oregon Regional	OTH	PU	N		P	P	12,369	56	$12,586,667
Ontario	Ontario Municipal	ONO	PU		Local	GA	GA	25	56	$1,340,222
Pendleton	Eastern Oregon Regional at Pendleton	PDT	PU		Regional	CS	CS	6,396	62	$8,810,527
Portland	Portland Downtown	61J	PU		Unclassified	GA	GA	0	0	$0
Portland	Portland International	PDX	PU	L		P	P	9,804,868	77	$30,559,384
Portland	Portland-Hillsboro	HIO	PU		National	R	R	288	256	$30,500,000
Portland	Portland-Troutdale	TTD	PU		Local	R	R	5	52	$18,333,334
Portland-Mulino	Mulino State	4S9	PU		Local	GA	GA	0	61	$1,244,444
Prineville	Prineville	S39	PU		Local	GA	GA	6	100	$6,589,999
Redmond	Roberts Field	RDM	PU	N		P	P	430,562	85	$39,503,584
Roseburg	Roseburg Regional	RBG	PU		Regional	GA	GA	36	76	$2,133,333
Salem	McNary Field	SLE	PU		Regional	GA	GA	176	168	$4,972,221
Scappoose	Scappoose Industrial Airpark	SPB	PU		Local	GA	GA	0	111	$3,100,000
Seaside	Seaside Municipal	56S	PU		Unclassified	GA	GA	0	3	$0
The Dalles	Columbia Gorge Regional/ The Dalles Municipal	DLS	PU		Local	GA	GA	25	66	$3,433,333
Tillamook	Tillamook	TMK	PU		Local	GA	GA	0	18	$5,631,111
Wasco	Wasco State	35S	PU		Unclassified	GA	GA	0	4	$0

ATTACHMENT C

Coastal Barrier Resources

U.S. Fish and Wildlife Service
Coastal Barrier Resources System

Coastal Barrier Resources System



March 30, 2023

CBRS Units

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at https://www.fws.gov/library/collections/official-coastal-barrier-resources-system-maps. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward

ATTACHMENT D

Flood Insurance

Community Status Book Report

Communities Participating in the National Flood Program

OREGON

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410205#	ADAMS, CITY OF	UMATILLA COUNTY	08/30/74	05/15/84	09/03/10	05/15/84	No					
410285#	ADRIAN, CITY OF	MALHEUR COUNTY	05/29/79	09/19/84	09/19/84	09/19/84	No					
410137B	ALBANY, CITY OF	BENTON COUNTY/LINN COUNTY	02/22/74	04/03/85	12/08/16	04/03/85	No	10/01/91	10/01/17	5	25%	10%
410250#	AMITY, CITY OF	YAMHILL COUNTY	07/30/76	12/01/81	03/02/10	12/01/81	No					
410071#	ARLINGTON, CITY OF	GILLIAM COUNTY	02/21/75	09/24/84	09/24/84(M)	09/24/84	No					
410090C	ASHLAND, CITY OF	JACKSON COUNTY	06/07/74	06/01/81	04/05/17	06/01/81	No	10/01/91	10/01/17	8	10%	05%
410028#	ASTORIA, CITY OF	CLATSOP COUNTY	06/28/74	08/01/78	09/17/10	08/01/78	No					
410206#	ATHENA, CITY OF	UMATILLA COUNTY	11/02/73	07/16/84	09/03/10	07/16/84	No					
410155#	AUMSVILLE, CITY OF	MARION COUNTY	05/10/74	03/01/79	01/19/00	03/01/79	No					
410156#	AURORA, CITY OF	MARION COUNTY	08/30/74	06/05/97	01/19/00	06/30/76	No					
410002#	BAKER CITY, CITY OF	BAKER COUNTY	02/01/74	04/17/84	06/03/88	04/17/84	No					
410001#	BAKER COUNTY*	BAKER COUNTY	02/28/78	02/28/78	06/03/88	06/03/88	No					
410043C	BANDON, CITY OF	COOS COUNTY	12/21/73	08/15/84	12/07/18	08/15/84	No	05/01/05	05/01/10	10		0%
410239B	BANKS, CITY OF	WASHINGTON COUNTY		11/04/16	11/04/16	05/25/17	No					
410013#	BARLOW, CITY OF	CLACKAMAS COUNTY	01/10/75	05/05/81	06/17/08	05/05/81	No					
410197A	BAY CITY, CITY OF	TILLAMOOK COUNTY	06/14/74	08/01/78	09/28/18	08/01/78	No					
410240B	BEAVERTON,CITY OF	WASHINGTON COUNTY	02/01/74	09/28/84	10/19/18	09/28/84	No	10/01/91	10/01/94	10		0%
410056#	BEND, CITY OF	DESCHUTES COUNTY	06/28/74	09/04/87	09/28/07	09/04/87	No					
410008B	BENTON COUNTY *	BENTON COUNTY	12/27/74	08/05/86	12/08/16	08/05/86	No	10/01/02	05/01/18	7	15%	05%
410174#	BOARDMAN, CITY OF	MORROW COUNTY	09/12/75	12/18/07	12/18/07(M)	05/25/78	No					
410110#	BONANZA, CITY OF	KLAMATH COUNTY	09/13/74	06/01/83	06/01/83(M)	06/01/83	No					
410053B	BROOKINGS, CITY OF	CURRY COUNTY	05/31/74	09/18/85	11/16/18	09/18/85	No					
410138#	BROWNSVILLE, CITY OF	LINN COUNTY	12/07/73	08/17/81	09/29/10	08/17/81	No					
410084A	BURNS, CITY OF	HARNEY COUNTY	11/30/73	08/15/84	04/20/22	08/15/84	No					
410091	BUTTE FALLS, TOWN OF	JACKSON COUNTY	11/08/74	06/30/76	06/30/76(M)	06/30/76	No					
410014#	CANBY, CITY OF	CLACKAMAS COUNTY	11/16/73	06/15/84	06/17/08	06/15/84	No					
410029B	CANNON BEACH, CITY OF	CLATSOP COUNTY	06/21/74	09/01/78	06/20/18	09/01/78	No	10/01/94	05/01/19	10		0%
410075#	CANYON CITY, CITY OF	GRANT COUNTY	12/07/73	09/18/87	09/18/87	09/18/87	No					
410060#	CANYONVILLE, CITY OF	DOUGLAS COUNTY	06/07/74	11/01/78	02/17/10	11/01/78	No					
410251#	CARLTON, CITY OF	YAMHILL COUNTY	11/30/73	06/30/76	03/02/10	06/30/76	No					
410087#	CASCADE LOCKS, CITY OF	HOOD RIVER COUNTY	05/24/74	09/24/84	09/24/84(M)	09/24/84	No					
410107#	CAVE JUNCTION, CITY OF	JOSEPHINE COUNTY	11/08/74	06/01/82	12/03/09	06/10/80	No					
410092#	CENTRAL POINT, CITY OF	JACKSON COUNTY	06/21/74	09/30/80	05/03/11	09/30/80	No	10/01/92	05/01/12	6	20%	10%
410111#	CHILOQUIN, CITY OF	KLAMATH COUNTY	11/30/73	08/15/84	08/15/84	08/15/84	No					
415588B	CLACKAMAS COUNTY*	CLACKAMAS COUNTY		03/01/78	01/18/19	03/01/78	No	10/01/04	05/01/17	10		0%
410035#	CLATSKANIE, CITY OF	COLUMBIA COUNTY	12/07/73	09/29/86	11/26/10	09/29/86	No					
410027B	CLATSOP COUNTY*	CLATSOP COUNTY	12/20/74	07/03/78	06/20/18	07/03/78	No					
410119#	COBURG, CITY OF	LANE COUNTY	12/21/73	01/06/84	06/02/99(M)	01/06/84	No					
410034#	COLUMBIA COUNTY*	COLUMBIA COUNTY	01/17/75	08/16/88	11/26/10	08/16/88	No					
410036#	COLUMBIA, CITY OF	COLUMBIA COUNTY	12/21/73	06/05/85	11/26/10	06/05/85	No					
410072#	CONDON, CITY OF	GILLIAM COUNTY	05/24/74	09/24/84	09/24/84(M)	09/24/84	No					
410044C	COOS BAY, CITY OF	COOS COUNTY	08/23/74	08/01/84	12/07/18	08/01/84	No					
	INCLUDES THE CITY OF EASTSIDE											
410042C	COOS COUNTY *	COOS COUNTY	11/01/74	11/15/84	12/07/18	11/15/84	No					
410045C	COQUILLE, CITY OF	COOS COUNTY	11/03/73	09/28/84	12/07/18	09/28/84	No					
410261B	CORNELIUS, CITY OF	WASHINGTON COUNTY	11/05/76	01/06/82	11/04/16	01/06/82	No					
410009#	CORVALLIS, CITY OF	BENTON COUNTY	06/14/74	01/03/85	06/02/11	01/03/85	No	10/01/91	05/01/17	5	25%	10%
410120#	COTTAGE GROVE, CITY OF	LANE COUNTY	02/22/74	11/15/85	06/02/99	11/15/85	No	05/01/18	10/01/20	6	20%	10%
410121#	CRESWELL, CITY OF	LANE COUNTY	12/21/73	09/18/85	06/02/99	09/18/85	No					
410050#	CROOK COUNTY *	CROOK COUNTY	08/16/77	07/17/89	02/02/12	07/17/89	No					
410290#	CULVER, CITY OF	JEFFERSON COUNTY		09/04/87	09/04/87	02/18/88	No					
410052B	CURRY COUNTY *	CURRY COUNTY	09/13/74	04/03/78	11/16/18	04/03/78	No					
410187#	DALLAS, CITY OF	POLK COUNTY	11/23/73	04/05/88	12/19/06	04/05/88	No					
410006#	DAMASCUS, CITY OF	CLACKAMAS COUNTY		07/19/00	06/17/08	05/10/07	No					
410252#	DAYTON, CITY OF	YAMHILL COUNTY	01/23/74	06/01/82	03/02/10	06/01/82	No					

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410076#	DAYVILLE, CITY OF	GRANT COUNTY	01/24/75	09/24/84	09/24/84(M)	09/24/84	No					
410283B	DEPOE BAY, CITY OF	LINCOLN COUNTY	06/12/79	10/15/80	10/18/19	10/15/80	No					
410055#	DESCHUTES COUNTY *	DESCHUTES COUNTY	01/17/75	08/16/88	09/28/07	08/16/88	No					
410157#	DETROIT, CITY OF	MARION COUNTY	11/01/74	06/30/76	01/19/00	06/30/76	No					
410059B	DOUGLAS COUNTY *	DOUGLAS COUNTY		12/15/78	03/23/21	12/15/78	No	10/01/00	10/01/17	10		0%
410061#	DRAIN, CITY OF	DOUGLAS COUNTY	04/05/74	08/01/79	02/17/10	08/01/79	No					
410231#	DUFUR, CITY OF	WASCO COUNTY	06/07/74	09/24/84	09/24/84(M)	09/24/84	No					
410253#	DUNDEE, CITY OF	YAMHILL COUNTY	06/28/74	03/01/82	03/02/10	03/01/82	No					
410262B	DUNES CITY, CITY OF	LANE COUNTY	01/28/77	03/24/81	06/05/20(M)	03/24/81	No					
410263B	DURHAM, CITY OF	WASHINGTON COUNTY	11/12/76	01/06/82	11/04/16	01/06/82	No					
410093C	EAGLE POINT, CITY OF	JACKSON COUNTY	10/18/74	09/30/80	01/19/18	09/30/80	No					
410207#	ECHO, CITY OF	UMATILLA COUNTY	09/13/74	05/15/84	09/03/10	05/15/84	No					
410218#	ELGIN, CITY OF	UNION COUNTY	12/19/75	11/15/78	11/15/78	11/15/78	No					
410062#	ELKTON, CITY OF	DOUGLAS COUNTY	09/13/74	09/05/79	02/17/10	09/05/79	No					
410225#	ENTERPRISE, CITY OF	WALLOWA COUNTY	12/28/73	01/23/76	02/17/88	02/17/88	No					
410016#	ESTACADA, CITY OF	CLACKAMAS COUNTY	11/09/73	06/17/08	(NSFHA)	06/30/76	No					
410122#	EUGENE, CITY OF	LANE COUNTY	06/07/74	09/29/86	06/02/99	09/29/86	No	10/01/91	10/01/01	7	15%	05%
410180B	FAIRVIEW, CITY OF	MULTNOMAH COUNTY	05/10/74	09/30/87	02/01/19	09/30/87	No					
410188#	FALLS CITY, CITY OF	POLK COUNTY	05/10/74	07/07/81	12/19/06	07/07/81	No					
410123B	FLORENCE, CITY OF	LANE COUNTY	05/31/74	05/17/82	06/05/20	05/17/82	No					
410241B	FOREST GROVE, CITY OF	WASHINGTON COUNTY	03/01/74	03/15/82	10/19/18	03/15/82	No					
410246#	FOSSIL, CITY OF	WHEELER COUNTY	06/28/74	05/04/89	05/04/89	05/04/89	No					
410280A	GARIBALDI, CITY OF	TILLAMOOK COUNTY		04/17/78	09/28/18	04/17/78	No					
410242B	GASTON, TOWN OF	WASHINGTON COUNTY		07/05/82	11/04/16	07/05/82	No					
410159#	GATES, CITY OF	MARION COUNTY	07/02/76	12/04/79	01/19/00	12/04/79	No					
410030B	GEARHART, CITY OF	CLATSOP COUNTY	12/07/73	05/15/78	06/20/18	05/15/78	No					
410160#	GERVAIS, CITY OF	MARION COUNTY	06/28/74	06/30/76	(NSFHA)	06/30/76	No					
410070#	GILLIAM COUNTY *	GILLIAM COUNTY	06/07/77	09/24/84	09/24/84(M)	09/24/84	No					
410017#	GLADSTONE, CITY OF	CLACKAMAS COUNTY	04/05/74	03/15/77	06/17/08	03/15/77	No					
410063#	GLENDALE, CITY OF	DOUGLAS COUNTY	12/28/73	09/29/78	02/17/10	09/29/78	No					
410054B	GOLD BEACH, CITY OF	CURRY COUNTY	11/23/73	11/15/85	11/16/18	11/15/85	No					
410094#	GOLD HILL, CITY OF	JACKSON COUNTY	01/09/74	09/17/80	05/03/11	09/17/80	No					
410074A	GRANT COUNTY *	GRANT COUNTY	10/18/74	02/15/79	03/23/21	02/15/79	No					
410108#	GRANTS PASS, CITY OF	JOSEPHINE COUNTY	03/22/74	04/15/81	12/03/09	04/15/81	No	10/01/92	05/01/17	8	10%	05%
410192#	GRASS VALLEY, CITY OF	SHERMAN COUNTY	11/22/74	09/24/84	09/24/84(M)	09/24/84	No					
410181B	GRESHAM, CITY OF	MULTNOMAH COUNTY	12/07/73	07/16/79	02/01/19	07/16/79	No					
410003#	HAINES, CITY OF	BAKER COUNTY	12/06/74	06/03/88	(NSFHA)	04/30/84	No					
410004#	HALFWAY, TOWN OF	BAKER COUNTY	09/26/75	09/24/84	06/03/88	09/24/84	No					
410139#	HALSEY, CITY OF	LINN COUNTY	11/22/74	09/29/10	(NSFHA)	07/21/78	No					
410026#	HAPPY VALLEY, CITY OF	CLACKAMAS COUNTY	12/20/74	12/04/79	06/17/08	12/04/79	No					
410083A	HARNEY COUNTY *	HARNEY COUNTY	04/18/78	04/17/84	04/20/22	04/17/84	No					
410140#	HARRISBURG, CITY OF	LINN COUNTY	03/01/74	02/03/82	09/29/10	02/03/82	No					
410208#	HELIX, CITY OF	UMATILLA COUNTY	12/20/74	06/01/84	09/03/10	06/01/84	No					
410175#	HEPPNER, CITY OF	MORROW COUNTY	11/23/73	04/01/81	12/18/07	04/01/81	No	05/01/06	05/01/16	9	05%	05%
410209#	HERMISTON, CITY OF	UMATILLA COUNTY	04/05/74	10/28/77	09/03/10	10/28/77	No					
410243B	HILLSBORO, CITY OF	WASHINGTON COUNTY	04/12/74	05/17/82	10/19/18	05/17/82	No					
410085A	HINES, CITY OF	HARNEY COUNTY	11/30/73	09/28/84	04/20/22	09/28/84	No					
410086#	HOOD RIVER COUNTY *	HOOD RIVER COUNTY	12/06/77	09/24/84	09/24/84(M)	09/24/84	No					
410088#	HOOD RIVER, CITY OF	HOOD RIVER COUNTY	05/24/74	09/24/84	09/24/84(M)	09/24/84	No					
410161#	HUBBARD, CITY OF	MARION COUNTY	05/10/74	02/05/86	01/19/00	02/05/86	No					
410005#	HUNTINGTON,CITY OF	BAKER COUNTY	11/30/73	09/24/84	06/03/88	09/24/84	No					
410162#	IDANHA, CITY OF	LINN COUNTY	08/30/74	03/01/79	01/19/00	03/01/79	No					
410189#	INDEPENDENCE, CITY OF	POLK COUNTY	05/21/76	04/05/88	12/19/06	04/05/88	No					
410176#	IONE, CITY OF	MORROW COUNTY	11/22/74	04/01/81	12/18/07	04/01/81	No					
410177#	IRRIGON, CITY OF	MORROW COUNTY	10/03/75	12/18/07	12/18/07	08/26/77	No					

Community Status Book Report

Communities Participating in the National Flood Program

OREGON

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410220#	ISLAND CITY, CITY OF	UNION COUNTY	08/30/74	09/29/78	09/30/87	09/29/78	No					
415589B	JACKSON COUNTY *	JACKSON COUNTY	04/11/78	04/01/82	01/19/18	04/01/82	No	10/01/91	05/01/02	7	15%	05%
410095#	JACKSONVILLE, CITY OF	JACKSON COUNTY	06/21/74	12/04/79	05/03/11	12/04/79	No					
410101#	JEFFERSON COUNTY *	JEFFERSON COUNTY	07/26/77	07/17/89	07/17/89	07/17/89	No					
410163#	JEFFERSON, CITY OF	MARION COUNTY	01/25/74	03/01/79	01/19/00	03/01/79	No					
410077#	JOHN DAY, CITY OF	GRANT COUNTY	03/22/74	09/15/77	02/23/82	09/15/77	No					
410150#	JORDAN VALLEY, CITY OF	MALHEUR COUNTY	02/07/75	09/19/84	09/19/84	09/19/84	No					
410226#	JOSEPH, CITY OF	WALLOWA COUNTY	05/24/74	12/05/75	02/17/88	02/17/88	No					
415590#	JOSEPHINE COUNTY *	JOSEPHINE COUNTY	08/16/77	06/01/82	12/03/09	06/01/82	No					
410124#	JUNCTION CITY, CITY OF	LANE COUNTY	05/10/74	06/15/82	06/02/99	06/15/82	No					
410288#	KEIZER, CITY OF	MARION COUNTY	08/15/79	05/01/85	01/19/00	08/15/79	No					
410269B	KING CITY, CITY OF	WASHINGTON COUNTY		02/18/05	10/19/18	02/11/76	No					
410109#	KLAMATH COUNTY *	KLAMATH COUNTY	12/27/74	12/18/84	12/18/84	12/18/84	No					
410112#	KLAMATH FALLS, CITY OF	KLAMATH COUNTY	06/28/74	06/05/85	06/05/85	06/05/85	No					
410260#	LA GRANDE, CITY OF	UNION COUNTY	11/30/73	09/30/80	04/03/96	09/30/80	No					
410057#	LA PINE, CITY OF	DESCHUTES COUNTY		09/28/07	09/28/07	12/06/07	No					
410254#	LAFAYETTE, CITY OF	YAMHILL COUNTY	11/30/73	06/15/82	03/02/10	06/15/82	No					
410115#	LAKE COUNTY *	LAKE COUNTY	01/31/78	12/05/89	12/05/89	12/05/89	No					
410018#	LAKE OSWEGO, CITY OF	MULTNOMAH COUNTY/CLACKAMAS COUNTY/WASHINGTON COUNTY	06/14/74	08/04/87	06/17/08	08/04/87	No					
410278C	LAKESIDE, CITY OF	COOS COUNTY	11/22/77	08/01/84	12/07/18	08/01/84	No					
410116#	LAKEVIEW, CITY OF	LAKE COUNTY	05/24/74	11/16/82	09/05/90	11/16/82	No					
415591B	LANE COUNTY*	LANE COUNTY	08/16/77	12/18/85	06/05/20	12/18/85	No	05/01/09	05/01/09	7	15%	05%
410141#	LEBANON, CITY OF	LINN COUNTY	11/30/73	07/02/81	09/29/10	07/02/81	No					
410178#	LEXINGTON, CITY OF	MORROW COUNTY	09/06/74	04/01/81	12/18/07	04/01/81	No					
410130B	LINCOLN CITY, CITY OF	LINCOLN COUNTY	11/08/74	04/17/78	10/18/19	04/17/78	No					
410129B	LINCOLN COUNTY *	LINCOLN COUNTY	01/17/75	09/03/80	10/18/19	09/03/80	No					
410136B	LINN COUNTY*	LINN COUNTY	12/06/77	09/29/86	12/08/16	09/29/86	No					
410078#	LONG CREEK, CITY OF	GRANT COUNTY	12/27/74	09/24/84	09/24/84(M)	09/24/84	No					
410227#	LOSTINE, CITY OF	WALLOWA COUNTY	11/08/74	11/08/74	02/17/88	02/17/88	No					
410125#	LOWELL, CITY OF	LANE COUNTY	03/29/74	06/02/99	06/02/99(M)	03/30/81	No					
410142#	LYONS, CITY OF	LINN COUNTY	03/08/74	12/15/81	09/29/10	12/15/81	No					
410103#	MADRAS, CITY OF	JEFFERSON COUNTY	06/28/74	07/17/89	07/17/89	07/17/89	No					
410149#	MALHEUR COUNTY*	MALHEUR COUNTY	04/04/78	09/29/86	09/29/86	09/29/86	No					
410199A	MANZANITA, CITY OF	TILLAMOOK COUNTY	10/18/74	05/01/78	09/28/18	05/01/78	No					
410154B	MARION COUNTY*	MARION COUNTY	01/24/75	08/15/79	10/18/19	08/15/79	No	05/01/01	05/01/07	6	20%	10%
410233#	MAUPIN, CITY OF	WASCO COUNTY	12/13/74	09/24/84	09/24/84(M)	09/24/84	No					
410255#	MCMINNVILLE, CITY OF	YAMHILL COUNTY	02/15/74	12/01/82	03/02/10	12/01/82	No					
410096#	MEDFORD, CITY OF	JACKSON COUNTY	06/21/74	04/15/81	05/03/11	04/15/81	No	10/01/94	10/01/14	6	20%	10%
410143#	MILL CITY, CITY OF	LINN COUNTY	12/14/73	03/01/79	09/29/10	03/01/79	No					
410284B	MILLERSBURG, CITY OF	LINN COUNTY	01/24/78	06/15/82	12/08/16	07/21/82	No					
410210#	MILTON-FREEWATER, CITY OF	UMATILLA COUNTY	11/16/73	09/12/78	09/03/10	09/12/78	No					
410019#	MILWAUKIE, CITY OF	MULTNOMAH COUNTY/CLACKAMAS COUNTY	04/05/74	06/18/80	06/17/08	06/18/80	No					
410247#	MITCHELL, CITY OF	WHEELER COUNTY	11/22/74	04/17/89	04/17/89	04/17/89	No					
410020#	MOLALLA, CITY OF	CLACKAMAS COUNTY	11/21/75	06/17/08	(NSFHA)	06/15/79	No					
410190#	MONMOUTH, CITY OF	POLK COUNTY	05/24/74	04/05/88	12/19/06	04/05/88	No					
410010#	MONROE, CITY OF	BENTON COUNTY	11/08/74	09/26/75	06/02/11	01/03/86	No					
410079#	MONUMENT, CITY OF	GRANT COUNTY	10/18/74	09/24/84	09/24/84(M)	09/24/84	No					
410173#	MORROW COUNTY *	MORROW COUNTY	01/24/75	04/01/81	12/18/07	04/01/81	No					
410234#	MOSIER, CITY OF	WASCO COUNTY	10/18/74	02/17/89	02/17/89	02/17/89	No					
410165#	MT. ANGEL, CITY OF	MARION COUNTY	05/14/74	01/19/00	(NSFHA)	06/30/76	No					
410080#	MT. VERNON, CITY OF	GRANT COUNTY	12/20/74	09/18/87	09/18/87	09/18/87	No					
410179B	MULTNOMAH COUNTY*	MULTNOMAH COUNTY	02/04/72	06/15/82	02/01/19	06/15/82	No					
410064#	MYRTLE CREEK, CITY OF	DOUGLAS COUNTY	10/12/73	02/15/78	02/17/10	02/15/78	No	05/01/03	05/01/08	10		0%

Community Status Book Report

Communities Participating in the National Flood Program

OREGON

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410047C	MYRTLE POINT, CITY OF	COOS COUNTY	11/23/73	07/16/84	12/07/18	07/16/84	No					
410200A	NEHALEM, CITY OF	TILLAMOOK COUNTY	11/09/73	04/03/78	09/28/18	04/03/78	No	10/01/03	05/01/08	7	15%	05%
410256#	NEWBERG, CITY OF	YAMHILL COUNTY	06/14/74	03/01/82	03/02/10	03/01/82	No					
410131B	NEWPORT, CITY OF	LINCOLN COUNTY	05/24/74	04/15/80	10/18/19	04/15/80	No					
410048C	NORTH BEND, CITY OF	COOS COUNTY	06/28/74	08/01/84	12/07/18	08/01/84	No					
410270B	NORTH PLAINS, CITY OF	WASHINGTON COUNTY	07/16/76	04/01/82	10/19/18	04/01/82	No					
410221#	NORTH POWDER, CITY OF	UNION COUNTY	08/30/74	09/29/78	09/29/78	09/29/78	No					
410151	NYSSA, CITY OF	MALHEUR COUNTY	11/30/73	12/14/82	12/14/82(M)	12/14/82	No					
410271#	OAKLAND, CITY OF	DOUGLAS COUNTY	08/06/76	06/19/85	02/17/10	06/19/85	No					
410126#	OAKRIDGE, CITY OF	LANE COUNTY	05/10/74	06/03/86	06/02/99	06/03/86	No					
410152#	ONTARIO, CITY OF	MALHEUR COUNTY	11/30/73	04/17/84	04/17/84	04/17/84	No					
410021#	OREGON CITY, CITY OF	CLACKAMAS COUNTY	12/28/73	02/15/80	06/17/08	02/15/80	No	10/01/03	05/01/18	8	10%	05%
410117#	PAISLEY, CITY OF	LAKE COUNTY	09/13/74	09/15/89	09/15/89	09/15/89	No					
410211#	PENDLETON, CITY OF	UMATILLA COUNTY	05/24/73	11/03/78	09/03/10	07/13/76	No					
410011#	PHILOMATH, CITY OF	BENTON COUNTY	02/22/74	06/15/82	06/02/11	06/15/82	No					
410097#	PHOENIX, CITY OF	JACKSON COUNTY	06/21/74	05/03/82	05/03/11	05/03/82	No					
410212#	PILOT ROCK, CITY OF	UMATILLA COUNTY	11/16/73	08/04/88	09/03/10	08/04/88	No					
410186#	POLK COUNTY*	POLK COUNTY	02/07/75	02/15/78	12/19/06	02/15/78	No	10/01/91	10/01/01	8	10%	05%
410272B	PORT ORFORD, CITY OF	CURRY COUNTY	04/30/76	01/29/80	11/16/18	01/29/80	No					
410183#	PORTLAND, CITY OF	WASHINGTON COUNTY/CLACKAMAS COUNTY/MULTNOMAH COUNTY	01/10/75	10/15/80	11/26/10	10/15/80	No	10/01/01	10/01/20	5	25%	10%
410049C	POWERS, CITY OF	COOS COUNTY	11/23/73	06/30/76	12/07/18	06/30/76	No					
410082#	PRAIRIE CITY, CITY OF	GRANT COUNTY	10/18/74	02/17/88	02/17/88	02/17/88	No					
410037#	PRESCOTT, CITY OF	COLUMBIA COUNTY	01/10/75	08/16/88	11/26/10	08/16/88	No					
410051#	PRINEVILLE, CITY OF	CROOK COUNTY	11/30/73	07/17/89	02/02/12	07/17/89	No					
410038#	RAINIER, CITY OF	COLUMBIA COUNTY	05/24/74	08/16/88	11/26/10	08/16/88	No					
410065B	REEDSPORT, CITY OF	DOUGLAS COUNTY	06/21/74	04/03/84	03/23/21	04/03/84	No					
410066#	RIDDLE, CITY OF	DOUGLAS COUNTY	06/07/74	08/01/79	02/17/10	08/01/79	No					
410022#	RIVERGROVE,CITY OF	CLACKAMAS COUNTY/WASHINGTON COUNTY	12/06/74	08/04/87	06/17/08	08/04/87	No					
410201A	ROCKAWAY BEACH, CITY OF	TILLAMOOK COUNTY	06/14/74	09/29/78	09/28/18	09/29/78	No	10/01/04	10/01/13	10		0%
410098#	ROGUE RIVER, CITY OF	JACKSON COUNTY	05/31/74	01/02/80	05/03/11	01/02/81	No	10/01/92	05/01/17	8	10%	05%
410067#	ROSEBURG, CITY OF	DOUGLAS COUNTY	06/07/74	06/01/77	02/17/10	06/01/77	No	10/01/94	05/01/19	7	15%	05%
410194#	RUFUS, CITY OF	SHERMAN COUNTY	12/13/74	09/24/84	09/24/84(M)	09/24/84	No					
410167B	SALEM, CITY OF	POLK COUNTY/MARION COUNTY	08/09/74	06/15/79	10/18/19	06/15/79	No	05/01/08	10/01/16	5	25%	10%
410023B	SANDY, CITY OF	CLACKAMAS COUNTY	04/12/74	12/11/79	01/18/19	12/11/79	No					
410039#	SCAPPOOSE, CITY OF	COLUMBIA COUNTY	05/17/74	12/19/75	11/26/10	08/16/88	No	10/01/93	10/01/18	8	10%	05%
410144#	SCIO, CITY OF	LINN COUNTY	11/22/74	08/01/84	09/29/10	08/01/84	No	05/01/04	05/01/14	10		0%
410168#	SCOTTS MILLS, CITY OF	MARION COUNTY	12/20/74	03/01/79	01/19/00	03/01/79	No					
410032B	SEASIDE, CITY OF	CLATSOP COUNTY	12/07/73	09/05/79	06/20/18	09/05/79	No					
410081A	SENECA, CITY OF	GRANT COUNTY	11/22/74	09/24/84	03/23/21(M)	09/24/84	No					
410099C	SHADY COVE, CITY OF	JACKSON COUNTY	08/23/74	09/30/80	01/19/18	09/30/80	No					
410257#	SHERIDAN, CITY OF	YAMHILL COUNTY	10/18/74	08/01/90	03/02/10	08/01/80	No	10/01/01	04/01/21	8	10%	05%
410191#	SHERMAN COUNTY *	SHERMAN COUNTY	10/18/77	09/24/84	09/24/84(M)	09/24/84	No					
410273B	SHERWOOD, CITY OF	WASHINGTON COUNTY	08/13/76	01/06/82	10/19/18	01/06/82	No					
410132B	SILETZ, CITY OF	LINCOLN COUNTY	03/19/76	03/01/79	10/18/19	03/01/79	No					
410169#	SILVERTON, CITY OF	MARION COUNTY	05/10/74	03/01/79	01/19/00	03/01/79	No					
410058#	SISTERS, CITY OF	DESCHUTES COUNTY	12/07/73	09/29/86	09/28/07	09/29/86	No					
410248#	SPRAY, CITY OF	WHEELER COUNTY	08/30/74	08/16/88	08/16/88(M)	08/16/88	No					
415592#	SPRINGFIELD, CITY OF	LANE COUNTY	06/18/71	09/27/85	06/02/99	09/27/85	No					
410040#	ST. HELENS, CITY OF	COLUMBIA COUNTY	11/30/73	09/29/86	11/26/10	09/29/86	No					
410166#	ST. PAUL, CITY OF	MARION COUNTY	11/22/74	01/19/00	(NSFHA)	07/01/84	No					
410213#	STANFIELD, CITY OF	UMATILLA COUNTY	11/09/73	08/15/84	09/03/10	08/15/84	No	10/01/91	10/01/15	10		0%
410170#	STAYTON, CITY OF	MARION COUNTY	01/18/74	03/01/79	01/19/00	03/01/79	No					

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410222#	SUMMERVILLE, CITY OF	UNION COUNTY	06/05/79	01/15/80	01/15/80(M)	01/15/80	No					
410007#	SUMPTER, CITY OF	BAKER COUNTY	12/24/76	09/24/84	06/03/88	09/24/84	No					
410275#	SUTHERLIN, CITY OF	DOUGLAS COUNTY		02/17/10	02/17/10(M)	05/21/97	No					
410146#	SWEET HOME, CITY OF	LINN COUNTY	01/18/74	03/01/82	09/29/10	03/01/82	No					
410100#	TALENT, CITY OF	JACKSON COUNTY	05/31/74	02/01/80	05/03/11	02/01/80	No	10/01/00	05/01/16	8	10%	05%
410147#	TANGENT, CITY OF	LINN COUNTY	06/25/76	05/17/82	09/29/10	05/17/82	No					
410237#	THE DALLES, CITY OF	WASCO COUNTY	05/24/74	01/18/84	01/18/84(M)	01/18/84	No					
410276B	TIGARD, CITY OF	WASHINGTON COUNTY	02/14/78	03/01/82	10/19/18	03/01/82	No					
410196A	TILLAMOOK COUNTY *	TILLAMOOK COUNTY		08/01/78	09/28/18	08/01/78	No	04/01/01	10/01/13	10		0%
410202A	TILLAMOOK, CITY OF	TILLAMOOK COUNTY	06/07/74	05/01/78	09/28/18	05/01/78	No	10/01/06	10/01/16	9	05%	05%
410133B	TOLEDO, CITY OF	LINCOLN COUNTY	09/14/73	03/01/79	10/18/19	03/01/79	No					
410184B	TROUTDALE, CITY OF	MULTNOMAH COUNTY	12/07/73	09/30/88	02/01/19	09/30/88	No	05/01/08	05/01/13	7	15%	05%
410277B	TUALATIN, CITY OF	WASHINGTON COUNTY/CLACKAMAS COUNTY	05/20/77	02/17/82	10/19/18	02/17/82	No					
410171B	TURNER, CITY OF	MARION COUNTY	01/16/74	04/02/79	10/18/19	04/02/79	No					
410279#	UKIAH, CITY OF	UMATILLA COUNTY	05/29/79	09/24/84	09/03/10(M)	09/24/84	No					
410204#	UMATILLA COUNTY*	UMATILLA COUNTY		06/15/78	09/03/10	06/15/78	No					
410012#	UMATILLA INDIAN RESERVATION, CONFEDERATED TRIBE OF	UMATILLA COUNTY		09/03/10	09/03/10	02/14/11	Yes					
410214#	UMATILLA, CITY OF	UMATILLA COUNTY	11/09/73	09/24/84	09/03/10(M)	09/24/84	No					
410216#	UNION COUNTY *	UNION COUNTY	10/25/77	05/15/80	04/03/96	05/15/80	No					
410223#	UNION, CITY OF	UNION COUNTY	03/05/76	12/15/78	12/15/78	12/15/78	No					
410153#	VALE, CITY OF	MALHEUR COUNTY	11/30/73	09/04/87	09/04/87	09/04/87	No					
410128#	VENETA,CITY OF	LANE COUNTY	03/22/74	02/01/84	06/02/99	02/01/84	No					
410041#	VERNONIA, CITY OF	COLUMBIA COUNTY	11/30/73	08/16/88	11/26/10	08/16/88	No					
410134B	WALDPORT, CITY OF	LINCOLN COUNTY	03/22/74	03/15/79	10/18/19	03/15/79	No					
410224#	WALLOWA COUNTY*	WALLOWA COUNTY	06/28/77	06/28/77	02/17/88	02/17/88	No					
410228#	WALLOWA, CITY OF	WALLOWA COUNTY	12/28/73	04/23/76	02/17/88	02/17/88	No					
410291#	WARM SPRINGS RESERVATION, CONFEDERATED TRIBES OF	WASCO COUNTY/JEFFERSON COUNTY		04/15/02	04/15/02	04/15/02	Yes					
410033B	WARRENTON, CITY OF	CLATSOP COUNTY	06/28/74	05/15/78	06/20/18	05/15/78	No					
	Includes the City of Hammond											
410229	WASCO COUNTY *	WASCO COUNTY	02/21/75	09/24/84	09/24/84(M)	09/24/84	No					
410195#	WASCO, CITY OF	SHERMAN COUNTY	10/22/76	09/15/89	09/15/89	09/15/89	No					
410238B	WASHINGTON COUNTY*	WASHINGTON COUNTY	01/24/75	09/30/82	10/19/18	09/30/82	No					
410148#	WATERLOO, CITY OF	LINN COUNTY	11/28/75	09/29/10	(NSFHA)	05/25/78	No					
410024#	WEST LINN, CITY OF	CLACKAMAS COUNTY	12/17/73	03/15/77	06/17/08	03/15/77	No					
410289#	WESTFIR, CITY OF	LANE COUNTY	12/04/84	08/19/85	06/02/99	09/06/85	No					
410215#	WESTON, CITY OF	UMATILLA COUNTY	05/17/74	09/18/87	09/03/10	09/18/87	No					
410245#	WHEELER COUNTY *	WHEELER COUNTY	05/31/77	07/17/89	07/17/89	07/17/89	No					
410203A	WHEELER, CITY OF	TILLAMOOK COUNTY	09/13/74	11/16/77	09/28/18	11/16/77	No					
410258#	WILLAMINA, CITY OF	YAMHILL COUNTY	12/28/73	03/15/82	03/02/10	03/15/82	No					
410025#	WILSONVILLE, CITY OF	WASHINGTON COUNTY/CLACKAMAS COUNTY	03/29/74	01/06/82	06/17/08	01/06/82	No					
415593#	WINSTON, CITY OF	DOUGLAS COUNTY		12/31/74	02/17/10	09/14/73	No					
410185B	WOOD VILLAGE, CITY OF	MULTNOMAH COUNTY	05/10/74	12/18/09	(NSFHA)	11/20/85	No					
410172#	WOODBURN, CITY OF	MARION COUNTY	05/24/74	03/01/79	01/19/00	03/01/79	No					
410135B	YACHATS, CITY OF	LINCOLN COUNTY	11/01/74	03/01/79	10/18/19	03/01/79	No					
410249#	YAMHILL COUNTY *	YAMHILL COUNTY	12/27/74	09/30/83	03/02/10	09/30/83	No					
410259#	YAMHILL, CITY OF	YAMHILL COUNTY	11/30/73	03/01/82	03/02/10	03/01/82	No					
410069#	YONCALLA, CITY OF	DOUGLAS COUNTY	04/05/74	02/17/10	02/17/10(M)	08/21/78	No					

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA

Summary:

Total In Flood Program	260
Total In Emergency Program	0
Total In the Regular Program	260
Total In Regular Program with No Special Flood Hazard	9
Total In Regular Program But Minimally Flood Prone	30

Community Status Book Report

Communities Not in the National Flood Program

OREGON

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Sanction Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
410089#	ADAIR VILLAGE, CITY OF	BENTON COUNTY		06/02/11	06/02/11	06/02/12	No					
410281A	BURNS PAIUTE RESERVATION	HARNEY COUNTY	07/18/78	09/28/84	04/20/22	04/20/22(S)	Yes					
415594#	SODAVILLE, CITY OF	LINN COUNTY		09/29/10	09/29/10	09/29/11	No					

Summary:

Total Not in Flood Program	3
Total Suspended from Emergency Program	0
Total Suspended from Regular Program	1
Total Withdrawn Communities Not In Program	0
Total Not In Program With Hazard Area Identified	3
Total Not In Program With Hazard Area Identified < 1 Year	0

Legend:

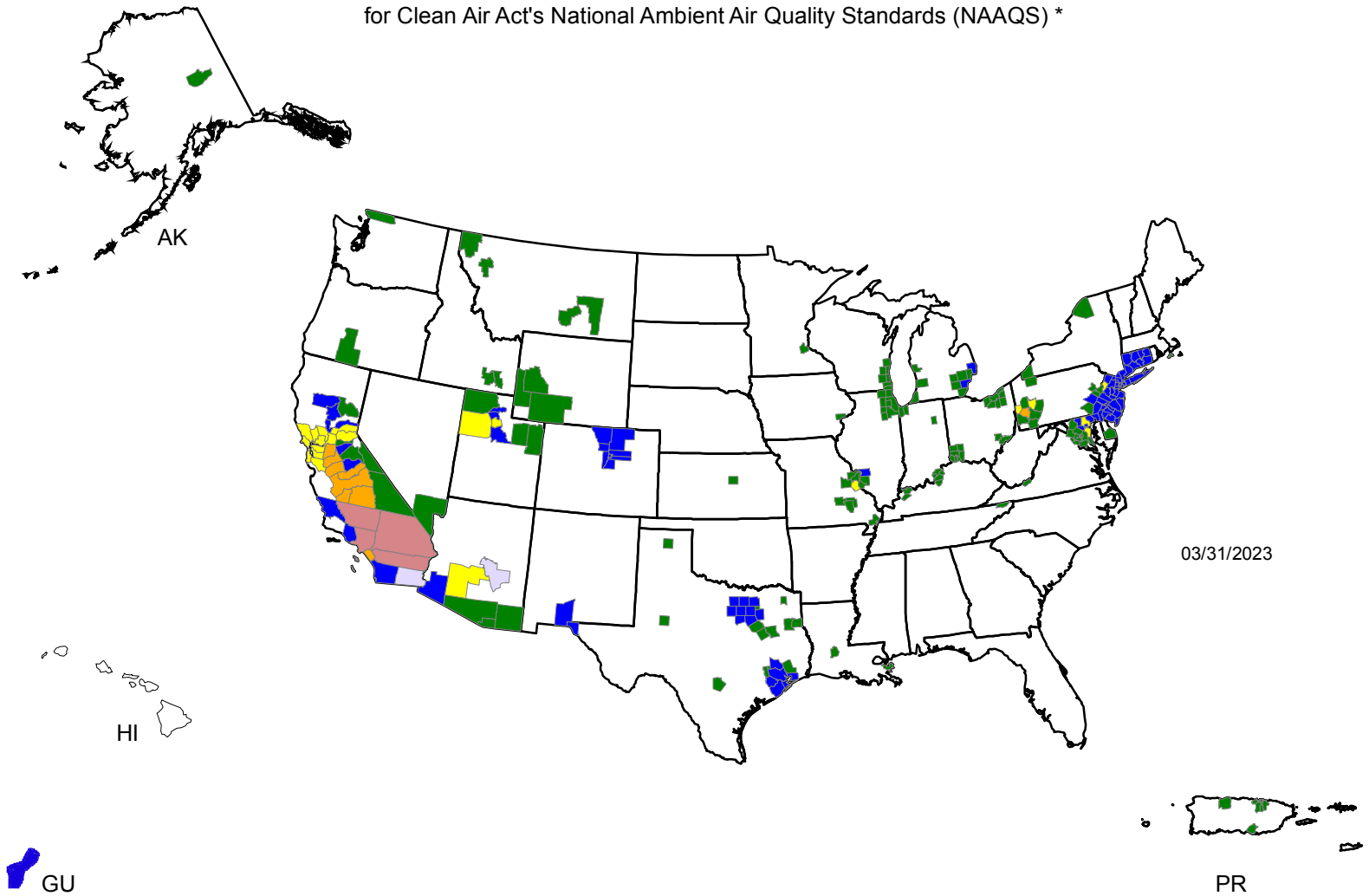
(E)	Indicates Entry In Emergency Program
NSFHA	No Special Flood Hazard Area - All Zone C
(>)	Date of Current Effective Map is after the Date of This Report
N/A	Not Applicable At This Time
(S)	Suspended Community
(W)	Withdrawn Community
(M)	No Elevation Determined - All Zone A, C and X
(L)	Original FIRM by Letter - All Zone A, C and X

ATTACHMENT E

Clean Air Act

Counties Designated "Nonattainment"

for Clean Air Act's National Ambient Air Quality Standards (NAAQS) *



Legend **

- County Designated Nonattainment for 6 NAAQS Pollutants
- County Designated Nonattainment for 5 NAAQS Pollutants
- County Designated Nonattainment for 4 NAAQS Pollutants
- County Designated Nonattainment for 3 NAAQS Pollutants
- County Designated Nonattainment for 2 NAAQS Pollutants
- County Designated Nonattainment for 1 NAAQS Pollutant

* The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead (1978 and 2008), Nitrogen Dioxide, 8-hour Ozone (2008), Particulate Matter (PM-10 and PM-2.5 (1997, 2006 and 2012), and Sulfur Dioxide.(1971 and 2010)

** Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. Revoked 1-hour (1979) and 8-hour Ozone (1997) are excluded. Partial counties, those with part of the county designated nonattainment and part attainment, are shown as full counties on the map.



Oregon Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of March 31, 2023

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m^3) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:
OREGON GO

Important Notes

Download National Dataset: dbf | xls | Data dictionary (PDF)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or Part County	Population (2010)	State/ County FIPS Codes
OREGON								
Clackamas County	1-Hour Ozone (1979)-NAAQS revoked	Portland-Vancouver AQMA, OR-WA	9293949596	06/18/1997	Marginal	Part	373,166	41/005
Clackamas County	Carbon Monoxide (1971)	Portland, OR	9293949596	10/02/1997	Moderate <= 12.7ppm	Part	233,262	41/005
Jackson County	Carbon Monoxide (1971)	Medford, OR	92939495969798990001	09/23/2002	Moderate <= 12.7ppm	Part	86,056	41/029
Jackson County	PM-10 (1987)	Jackson County; Medford-Ashland (including White City), OR	92939495969798990001020304 05	08/18/2006	Moderate	Part	87,458	41/029
Josephine County	Carbon Monoxide (1971)	Grants Pass, OR	9293949596979899	10/30/2000	Moderate <= 12.7ppm	Part	22,449	41/033
Josephine County	PM-10 (1987)	Josephine County; Grants Pass, OR	92939495969798990001 02	12/26/2003	Moderate	Part	22,449	41/033
Klamath County	Carbon Monoxide (1971)	Klamath Falls, OR	929394959697989900	11/19/2001	Moderate <= 12.7ppm	Part	20,703	41/035
Klamath County	PM-10 (1987)	Klamath Falls, OR	92939495969798990001 02	12/22/2003	Moderate	Part	20,703	41/035
Klamath County	PM-2.5 (2006)	Klamath Falls, OR	09 10 11 12 13 14 15 16 17 18 19 20 21 22 23	/ /	Moderate	Part	46,969	41/035
Lake County	PM-10 (1987)	Lake County (part); Lakeview, OR	939495969798990001020304 05	07/19/2006	Moderate	Part	3,296	41/037

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
Lane County	Carbon Monoxide (1971)	Eugene-Springfield, OR	9293	02/04/1994	Not Classified	Part	234,972	41/039
Lane County	PM-10 (1987)	Lane County; Eugene/Springfield, OR	92939495969798990001020304050607080910111 2	06/10/2013	Moderate	Part	195,160	41/039
Lane County	PM-10 (1987)	Lane County (part); Oakridge, OR	9495969798990001020304050607080910111213141516171819 2021	09/21/2022	Moderate	Part	3,728	41/039
Lane County	PM-2.5 (2006)	Oakridge, OR	09101112131415161718192021	09/21/2022	Moderate	Part	4,261	41/039
Marion County	1-Hour Ozone (1979)-NAAQS revoked	Salem, OR	92939495969798990001020304	/ /	Incomplete Data	Part	313,385	41/047
Marion County	Carbon Monoxide (1971)	Salem, OR	92939495969798990001020304050607 08	03/02/2009	Not Classified	Part	80,695	41/047
Multnomah County	1-Hour Ozone (1979)-NAAQS revoked	Portland-Vancouver AQMA, OR-WA	9293949596	06/18/1997	Marginal	Part	377,954	41/051
Multnomah County	Carbon Monoxide (1971)	Portland, OR	9293949596	10/02/1997	Moderate <= 12.7ppm	Part	629,654	41/051
Polk County	1-Hour Ozone (1979)-NAAQS revoked	Salem, OR	92939495969798990001020304	/ /	Incomplete Data	Part	75,179	41/053
Polk County	Carbon Monoxide (1971)	Salem, OR	92939495969798990001020304050607 08	03/02/2009	Not Classified	Part	75,405	41/053
Union County	PM-10 (1987)	Union County; LaGrande, OR	92939495969798990001020304 05	07/19/2006	Moderate	Part	13,094	41/061
Washington County	1-Hour Ozone (1979)-NAAQS revoked	Portland-Vancouver AQMA, OR-WA	9293949596	06/18/1997	Marginal	Part	510,250	41/067
Washington County	Carbon Monoxide (1971)	Portland, OR	9293949596	10/02/1997	Moderate <= 12.7ppm	Part	467,557	41/067

Important Notes

Discover. **Connect.** **Ask.** **Follow.**

2023-03-31

From:	CATTO Chelsea * HCS
To:	MIRZAKHALILI Ali * DEQ
Cc:	FLYNN Ryan * HCS; Dahlgren, Angela
Subject:	2022 CDBG-DR Tiered Environmental Review notification
Date:	Wednesday, August 3, 2022 7:49:46 PM
Attachments:	Air Quality_Oregon_DEQ_.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

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725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Mr. Ali Mirzakhalili
Air Quality Administrator
Oregon Department of Environmental Quality
725 Summer Street NE, Suite B
Salem, OR 97301
Transmitted via email: Mirzakhalili.Ali@deq.state.or.us

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Mirzakhalili:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the Oregon Department of Environmental Quality with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code);
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

OHCS anticipates that the actions of the Program will conform to the State Implementation Plan because they are not anticipated to:

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

- Cause or contribute to a new violation of any existing standard.
- Increase the frequency or severity of any existing violation of any standard; or
- Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area.

OHCS intends to comply with any local regulations, including those applying to lead-based paint and asbestos abatement activities. OHCS will employ mitigation measures, such as dust suppression, covering haul loads, vehicle idling reduction, and spill mitigation measures, as best management practices. OHCS anticipated a Finding of No Significant Impact (FONSI) for these actions.
OHCS is requesting a response letter addressing all project types for all counties to document completion of coordination with the Division of Air Quality and compliance with Federal and State air quality standards. A copy of this letter is also being sent to the Lane Regional Air Protection Agency.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

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August 3, 2022

Rebecca Chu
Manager, Policy and Environmental Review Branch
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101
Transmitted via email: chu.rebecca@epa.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Chu:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

OHCS is conducting a Tier I Broad Level environmental review of proposed activities and projects in which the following activities may be carries out:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
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- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

The ReOregon program will be managed by OHCS. To learn more about OHCS's Community Disaster Recovery Program please visit https://www.oregon.gov/ohcs/housing-assistance/disaster-recovery/Pages/ReOregon.aspx. As part of the required environmental review process, we are advising you of this funding award to give the Region 10 Program Office the opportunity to comment.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
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angela.dahlgren@tetratech.com

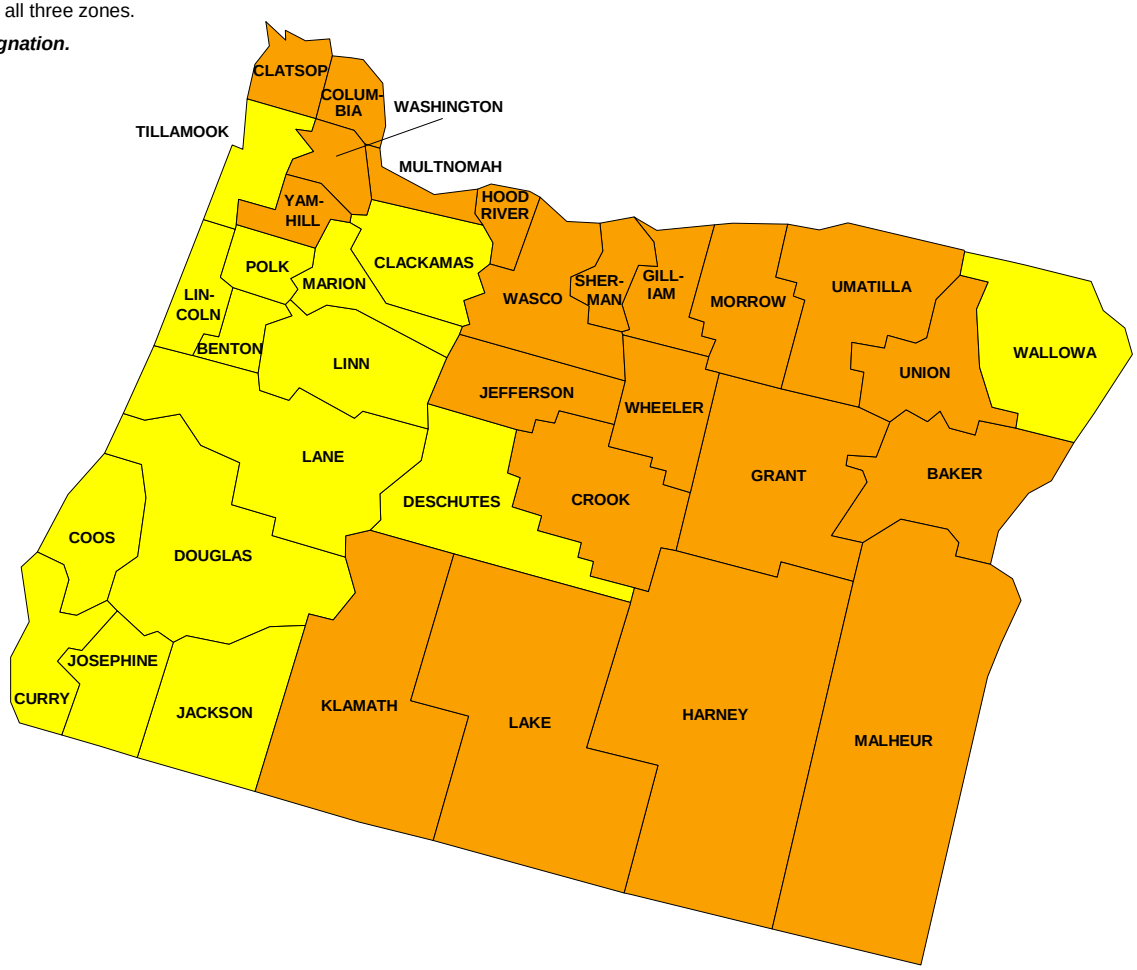
OREGON - EPA Map of Radon Zones

http://www.epa.gov/radon/zonemap.html

The purpose of this map is to assist National, State and local organizations to target their resources and to implement radon-resistant building codes.

This map is not intended to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones.

All homes should be tested, regardless of zone designation.

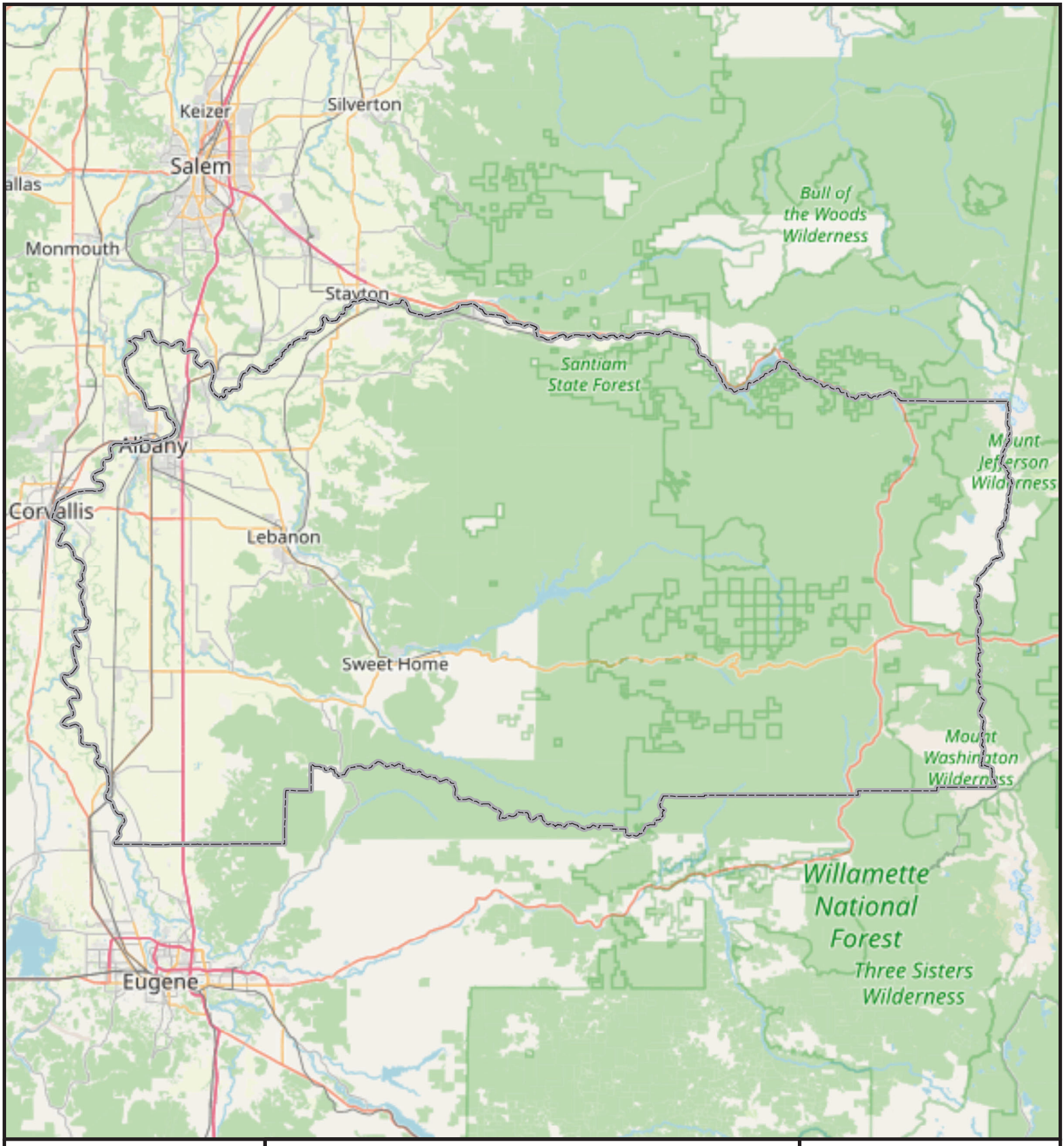


Zone 1 Zone 2 Zone 3

IMPORTANT: Consult the publication entitled "Preliminary Geologic Radon Potential Assessment of Oregon" (USGS Open-file Report 93-292-J) before using this map. http://energy.cr.usgs.gov/radon/grpinfo.html This document contains information on radon potential variations within counties. EPA also recommends that this map be supplemented with any available local data in order to further understand and predict the radon potential of a specific area.

ATTACHMENT F

Coastal Zone Management



TETRA TECH

Tier 1 Environmental Review
Coastal Zone Management Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Coastal Zone Management Boundary

Source: NOAA

N

0 5 10

Miles

0 12.5 25

Kilometers

Coastal Zone Management--Oregon

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Ensure that projects are consistent with the Oregon Coastal Zone Management Program	Coastal Zone Management Act 16 U.S.C. 1451-1464	15 CFR Part 930

1. Is the project located in Oregon's Coastal Zone?

☐ To view a map of the Coastal Zone, https://www.oregon.gov/lcd/OCMP/Pages/Coastal-Zone.aspx

☒ No: STOP here. The Oregon Department of Land Conservation and Development has agreed with HUD that HUD projects outside of the coastal zone are not subject to federal consistency review as part of the Coastal Zone Management Act of 1972.Record your determination on the EA, Statutory Worksheet or HUD Form 4128.

☐ Yes: PROCEED to #2

2. Is your project within the Territorial Sea (3 nautical miles into the ocean from the coastline)?

☐ Yes. Any project in the Territorial Sea (3 nautical miles into the ocean from the coastline) will require an individual review—Do not initiate the Project until you have obtained a federal consistency decision from DLCD.

☐ **No.** PROCEED to #3

3. Has the project or will the project obtain all necessary state permits and local authorizations?

To be consistent with the Oregon Coastal Management Program (OCMP), a proposed project must be consistent with: the statewide planning goals; the applicable acknowledged city or county comprehensive plans (those plans approved by the Land Conservation and Development Commission as being in compliance with the statewide planning goals); and selected state authorities (e.g., those governing removal-fill, water quality, and fish and wildlife protections). All local and state permits for a project help demonstrate consistency and must be obtained for a project to be consistent with the OCMP. A copy of the Certification statement must be maintained in the ERR.

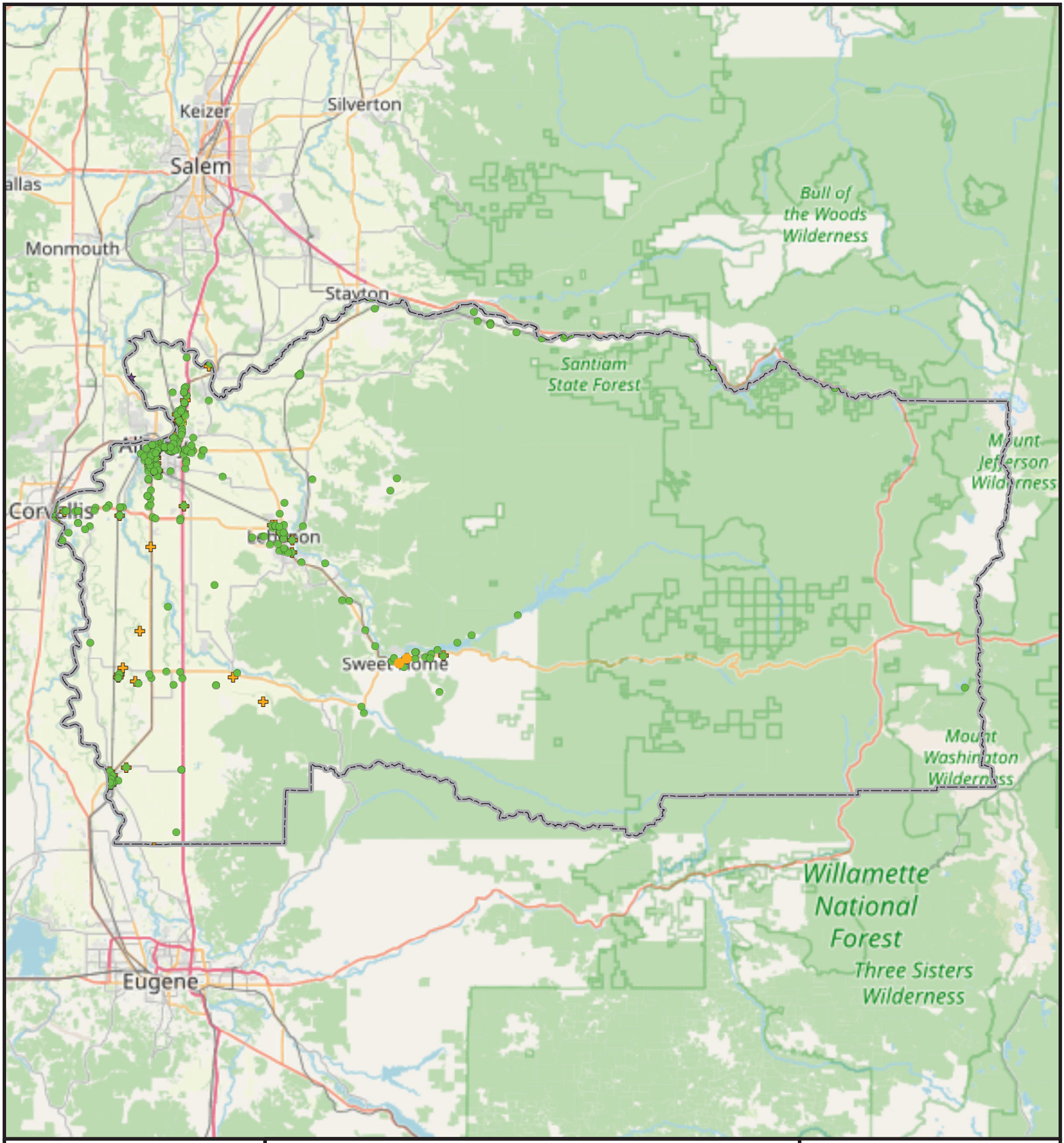
☐ Yes: STOP here. Sign the certification statement and send to the State-Federal Relations Coordinator in Oregon; address below . Your project is consistent with the Coastal Zone Management Program. Record your determination on the EA, Statutory Worksheet or HEROS. You must have a mechanism in place (i.e. condition to the contract or FIRM Commitment) to assure the recipient has obtained all required permits.

☐ No: If the project will not comply with local or state water or land use requirements or does not obtain all necessary state and local authorizations, contact the Oregon Department of Land Conservation and Development to resolve any issues. www.oregon.gov/LCD/OCMP/Pages/Federal_Consistency_Home.aspx

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

ATTACHMENT G

Contamination and Toxic Substances



TETRA TECH

Tier 1 Environmental Review
Hazardous Waste Sites Map
Linn County

Author: AK

Date: 3/30/2023

- Solid Waste Landfills
- Brownfields (ACRES)
- Hazardous Waste Site (RCRA)
- Superfund Sites (SEMS)
- National Priorities List (NPL)
- Toxic Release Sites (TRI)
- County Boundary

Source: NEPA

N

0 5 10

Miles

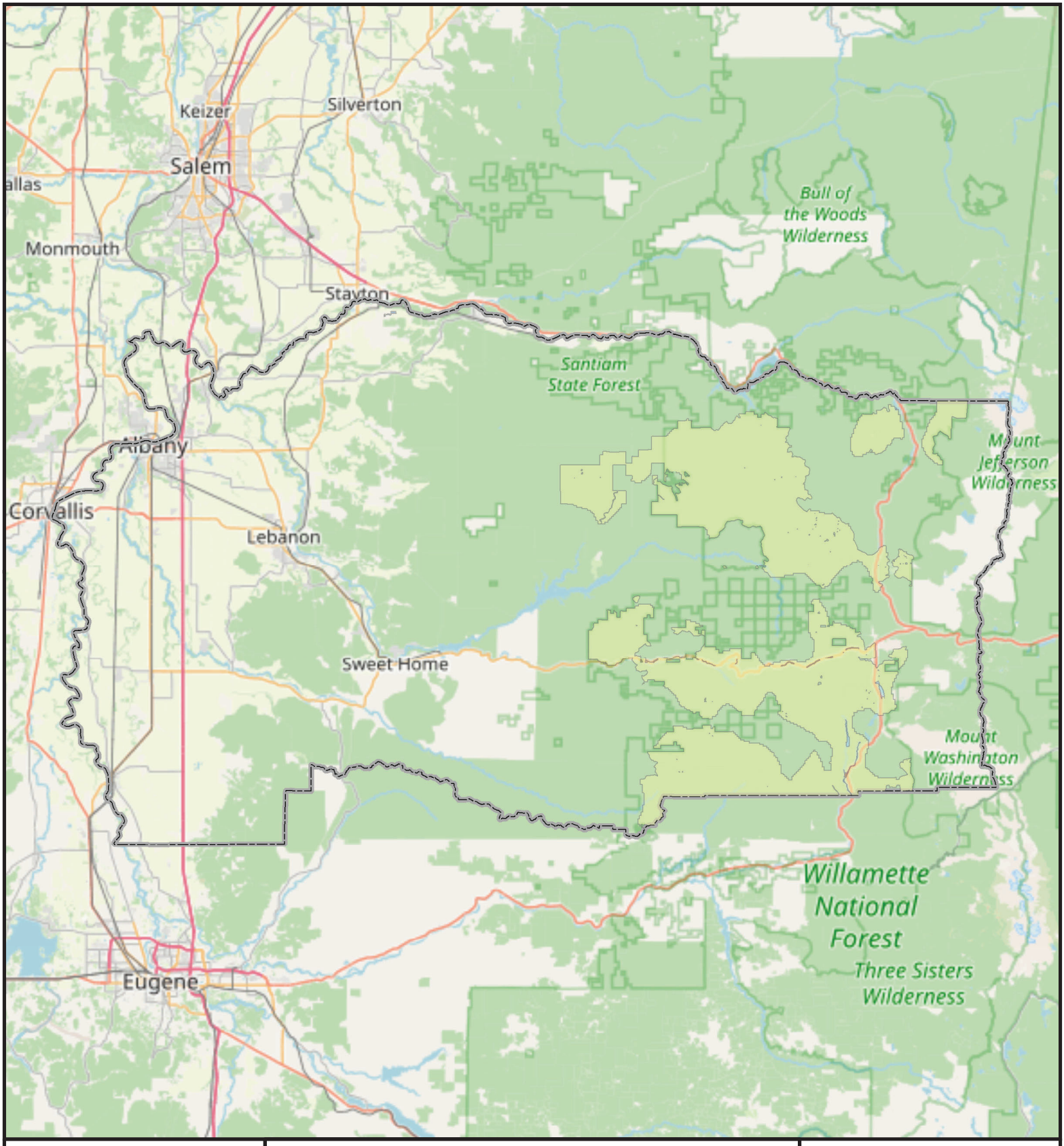
0 12.5 25

Kilometers

ATTACHMENT H

Endangered Species &

Magnuson-Stevens Act



TETRA TECH

Tier 1 Environmental Review
Endangered Species Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Bull Trout

Northern spotted owl

Willamette daisy

Source: USFWS ECOS

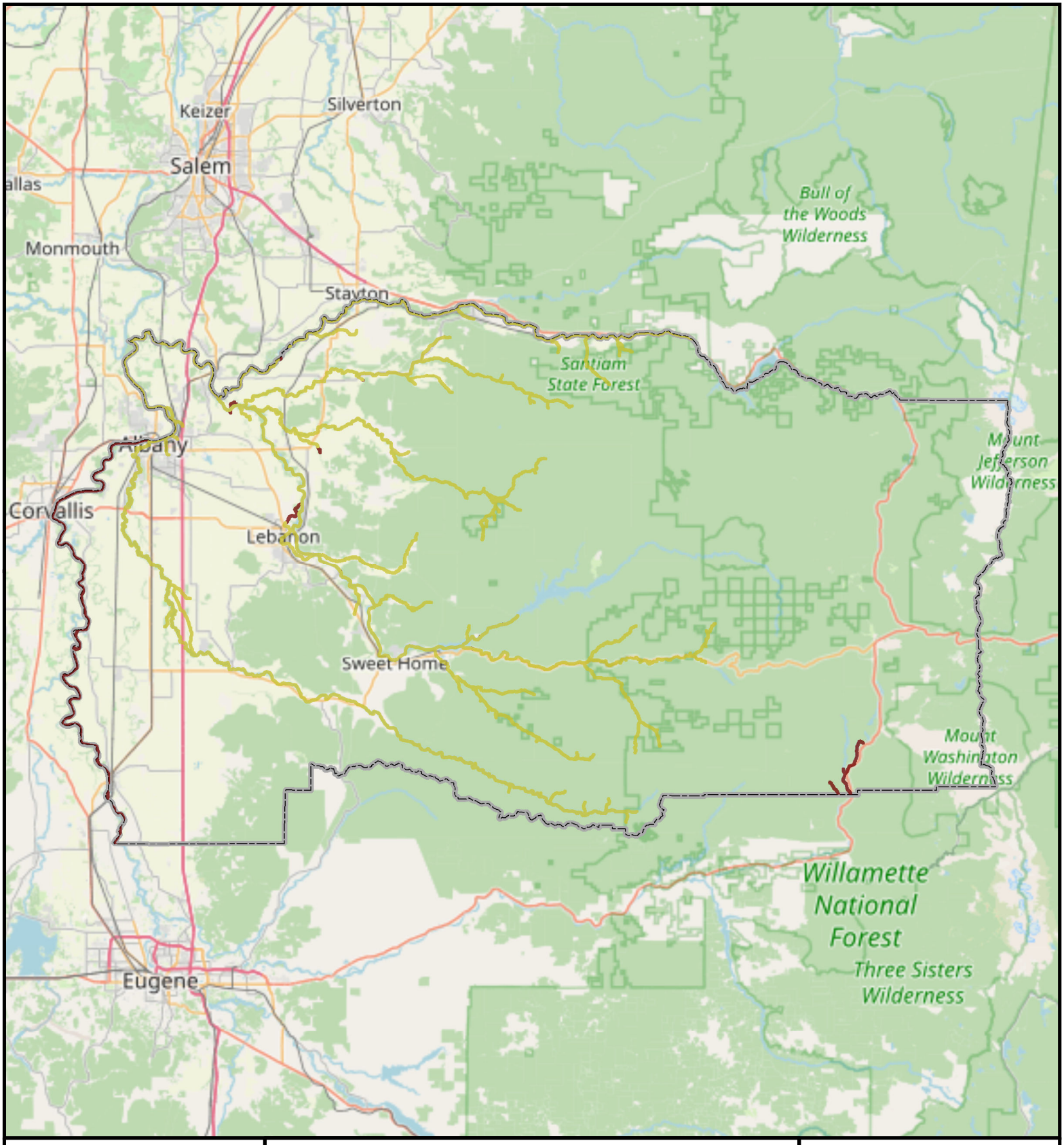
N

0 5 10

Miles

0 12.5 25

Kilometers



TETRA TECH

NMFS ESA-Listed Species & Critical Habitat Designations in Oregon
Linn County

Author: AK

Date: 5/30/2023

County Boundary

Salmon, Chinook

Steelhead

Source: NOAA

N

0 5 10

Miles

0 12.5 25

Kilometers

From: CATTO Chelsea * HCS
To: Jeffrey_Dillon@fws.gov
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:22:58 PM
Attachments: USFWS_ESA_Oregon.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Mr. Jeff Dillon
Endangered Species Division Manager
Oregon Fish and Wildlife Office
2600 SE 98th Avenue, Suite 100
Portland, OR 97266
Transmitted via email: Jeffrey_Dillon@fws.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Dillon:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the United States Fish and Wildlife Service with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

For rehabilitation/repair of an existing structure or reconstruction of a like structure in the same location, we believe (and are asking for your concurrence) that that these types of actions would constitute a “no effect or impact to federally-protected species or designated critical habitat” and “no further action would be required.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

For those projects that would potentially impact critical habitats or undeveloped areas, consultation with Oregon Fish and Wildlife and local agencies would be required prior to any construction activities occurring. This letter is also being sent to the Klamath Falls Fish and Wildlife Office and the NOAA West Coast Region Endangered Species Act Section 7 Consultations Coordinator.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

From: CATTO Chelsea * HCS
To: Rosalie.delrosario@noaa.gov
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:16:20 PM
Attachments: NOAA_ESA_Oregon.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Ms. Rosalie del Rosario
West Coast Region Endangered Species Act Section 7 Consultations Coordinator
West Coast Regional Office
U.S. National Marine Fisheries Service
501 West Ocean Boulevard, Suite 4200
Long Beach, CA 90802
Transmitted via email: Rosalie.delrosario@noaa.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. del Rosario:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

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As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide NOAA Fisheries Service with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

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Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

For those projects that would potentially impact critical habitats or undeveloped areas, consultation with NOAA and local agencies would be required prior to any construction activities occurring. This letter is also being sent to the United States Fish and Wildlife Service.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish And Wildlife Office
2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398
Phone: (503) 231-6179 Fax: (503) 231-6195

In Reply Refer To:
Project Code: 2022-0040818
Project Name: ReOregon - Linn County

April 06, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This is not a consultation.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oregon Fish And Wildlife Office
2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398
(503) 231-6179

PROJECT SUMMARY

Project Code: 2022-0040818
Project Name: ReOregon - Linn County
Project Type: Disaster-related Grants
Project Description: 1. Homeowner Assistance and Reconstruction Program
-Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes), including additional costs to comply with federal, state, and local construction standards, such as replacing or repairing on-site residential infrastructure, complying with green building standards, and ensuring homes are accessible for individuals living with disabilities and senior residents.
2. Accessory Dwelling Unit Pilot Program
-Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home. ADUs can be additions to existing or reconstructed homes (“internal” or “attached” ADUs) or new stand-alone accessory structures or converted portions of existing stand-alone accessory structures (“detached” ADUs).
3. Homeownership Opportunities Program
-The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.
-The program will develop single-family site-built or prefabricated structures – defined as one to four units – for the purposes of selling to eligible disaster impacted first-time homebuyers.
-Prefabricated (including manufactured) homes may only be placed in manufactured housing parks that are owned by a nonprofit, community land trust, public housing authority, or resident cooperative, and have a regulatory agreement in place to maintain affordability.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@44.4976235,-122.52537913545424,14z



Counties: Linn County, Oregon

ENDANGERED SPECIES ACT SPECIES

There is a total of 13 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
Marbled Murrelet *Brachyramphus marmoratus* Population: U.S.A. (CA, OR, WA) There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Northern Spotted Owl *Strix occidentalis caurina* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1123	Threatened
Streaked Horned Lark *Eremophila alpestris strigata* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7268	Threatened
Yellow-billed Cuckoo *Coccyzus americanus* Population: Western U.S. DPS There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

FISHES

NAME	STATUS
Bull Trout *Salvelinus confluentus* Population: U.S.A., conterminous, lower 48 states There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8212	Threatened

INSECTS

NAME	STATUS
Fender's Blue Butterfly *Icaricia icarioides fenderi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6659	Threatened
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Taylor's (=whulge) Checkerspot *Euphydryas editha taylori* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5907	Endangered

FLOWERING PLANTS

NAME	STATUS
Golden Paintbrush *Castilleja levisecta* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7706	Threatened
Kincaid's Lupine *Lupinus sulphureus ssp. kincaidii* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3747	Threatened
Nelson's Checker-mallow *Sidalcea nelsoniana* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7340	Threatened
Willamette Daisy *Erigeron decumbens* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6270	Endangered

CONIFERS AND CYCADS

NAME	STATUS
Whitebark Pine *Pinus albicaulis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1748	Threatened

CRITICAL HABITATS

There are 3 critical habitats wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Bull Trout *Salvelinus confluentus* https://ecos.fws.gov/ecp/species/8212#crithab	Final
Northern Spotted Owl *Strix occidentalis caurina*	Final

NAME	STATUS
https://ecos.fws.gov/ecp/species/1123#crithab	
Willamette Daisy *Erigeron decumbens*	Final
https://ecos.fws.gov/ecp/species/6270#crithab	

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

The following FWS National Wildlife Refuge Lands and Fish Hatcheries lie fully or partially within your project area:

FACILITY NAME	ACRES
FARM SERVICE AGENCY INTEREST OF OR https://www.fws.gov/refuges/profiles/index.cfm?id=10130	301.945
WILLIAM L. FINLEY NATIONAL WILDLIFE REFUGE https://www.fws.gov/refuges/profiles/index.cfm?id=13589	5,703.18

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Jan 1 to Sep 30
Black Swift *Cypseloides niger* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10

NAME	BREEDING SEASON
Black Turnstone *Arenaria melanocephala* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
California Gull *Larus californicus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Cassin's Finch *Carpodacus cassinii* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15
Clark's Grebe *Aechmophorus clarkii* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 31
Evening Grosbeak *Coccothraustes vespertinus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Aug 10
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Marbled Godwit *Limosa fedoa* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds elsewhere
Olive-sided Flycatcher *Contopus cooperi* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Rufous Hummingbird *selasphorus rufus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Short-billed Dowitcher *Limnodromus griseus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds Jun 1 to Aug 10

NAME	BREEDING SEASON
Western Grebe *aechmophorus occidentalis* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743	Breeds Jun 1 to Aug 31
Willet *Tringa semipalmata* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wrentit *Chamaea fasciata* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 10

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

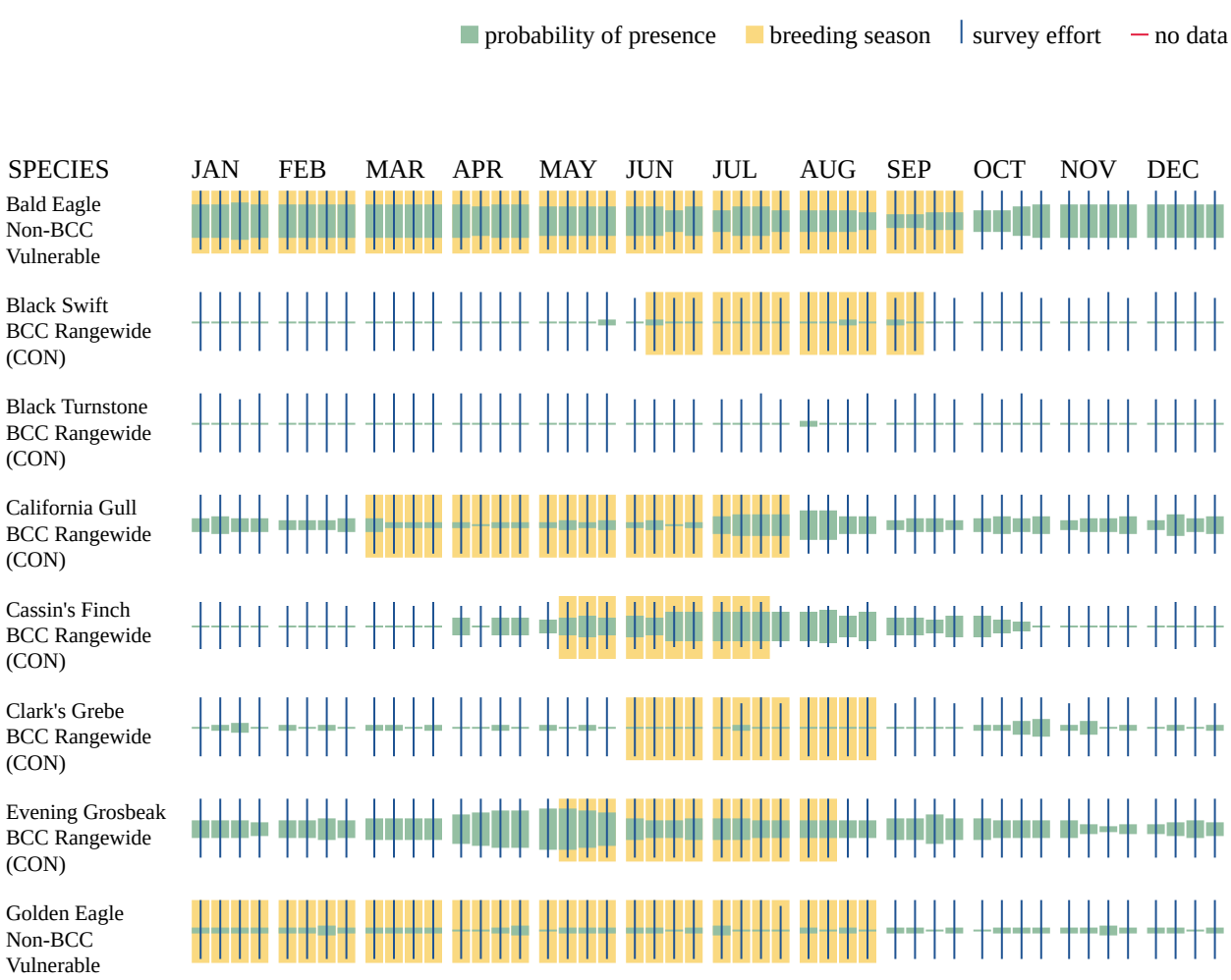
Breeding Season (■)

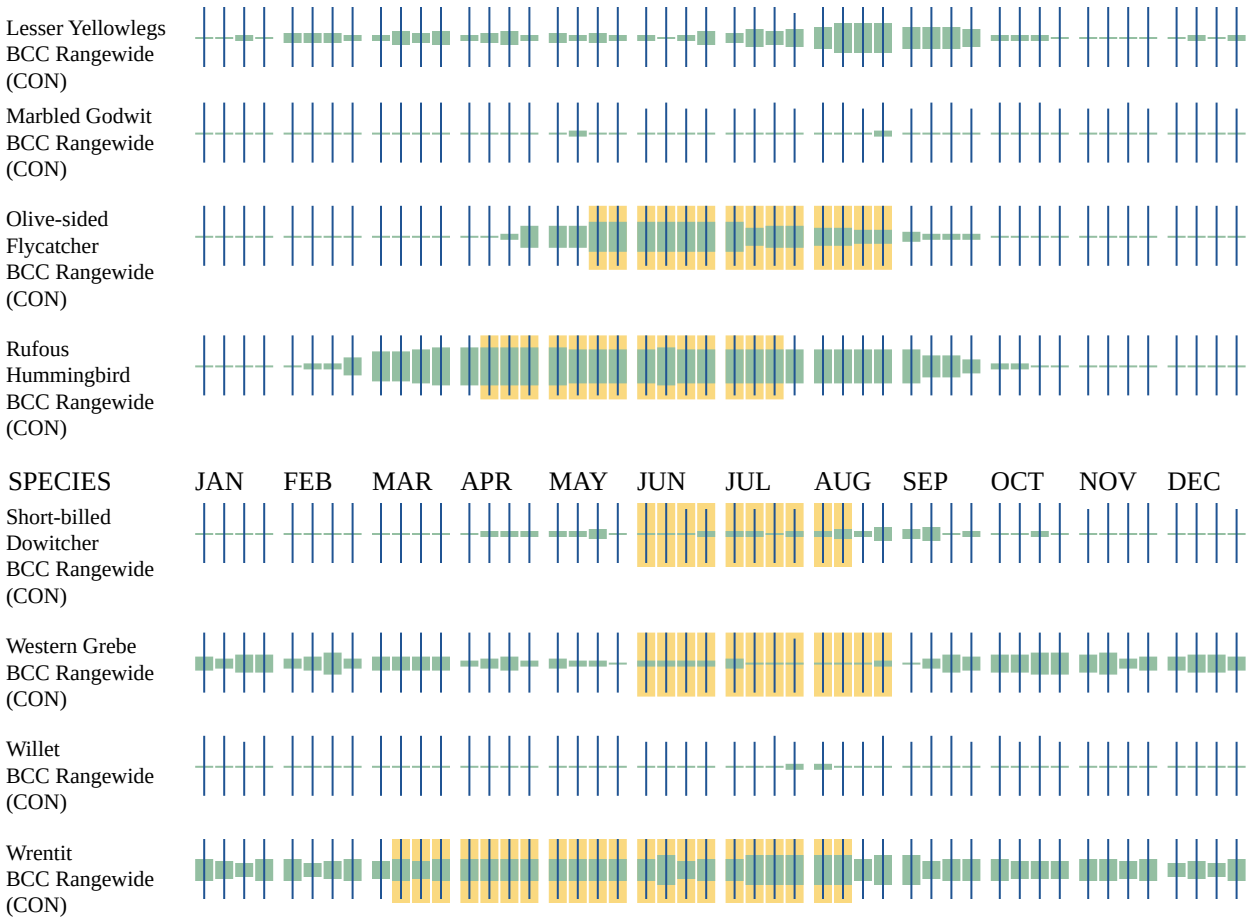
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits

may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?
The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities,

should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPAC USER CONTACT INFORMATION

Agency: State of Oregon
Name: Angela Dahlgren
Address: 2301 Lucien Way
Address Line 2: Suite 120
City: Maitland
State: FL
Zip: 32751
Email angela.dahlgren@tetratech.com
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LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

Threatened, Endangered, and Candidate Fish and Wildlife Species in Oregon

Common Name	Scientific Name	State Status*	Federal Status
FISH			
Bull Trout (range-wide)	*Salvelinus confluentus*		T
Columbia River Chum Salmon	*Oncorhynchus keta*		T
Green Sturgeon (Southern DPS)	*Acipenser medirostris*		T
Hutton Spring Tui Chub	*Siphateles bicolor* ssp	T	T
Lahontan Cutthroat Trout	*Oncorhynchus clarkii henshawi*	T	T
Lost River Sucker	*Deltistes luxatus*	E	E
Lower Columbia River Chinook Salmon	*Oncorhynchus tshawytscha*		T
Lower Columbia River Coho Salmon	*Oncorhynchus kisutch*	E	T
Lower Columbia River Steelhead	*Oncorhynchus mykiss*		T
Middle Columbia River Steelhead	*Oncorhynchus mykiss*		T
Oregon Coast Coho Salmon	*Oncorhynchus kisutch*		T
Pacific Eulachon/Smelt (Southern DPS)	*Thaleichthys pacificus*		T
Shortnose Sucker	*Chasmistes brevirostris*	E	E
Snake River Chinook Salmon (Fall)	*Oncorhynchus tshawytscha*	T	T
Snake River Chinook Salmon (Spring/Summer)	*Oncorhynchus tshawytscha*	T	T
Snake River Sockeye Salmon	*Oncorhynchus nerka*		E
Snake River Steelhead	*Oncorhynchus mykiss*		T
Southern Oregon/Northern California Coast Coho Salmon	*Oncorhynchus kisutch*		T
Upper Columbia River Spring Chinook Salmon	*Oncorhynchus tshawytscha*		E
Upper Columbia River Steelhead	*Oncorhynchus mykiss*		T
Upper Willamette River Chinook Salmon	*Oncorhynchus tshawytscha*		T
Upper Willamette River Steelhead	*Oncorhynchus mykiss*		T
Warner Sucker	*Catostomus warnerensis*	T	T
AMPHIBIANS AND REPTILES			

Green Sea Turtle	*Chelonia mydas*	E	T
Leatherback Sea Turtle	*Dermochelys coriacea*	E	E
Loggerhead Sea Turtle	*Caretta caretta*	T	E
Olive Ridley Sea Turtle	*Lepidochelys olivacea*	T	T
Oregon Spotted Frog	*Rana pretiosa*		T
BIRDS			
California Brown Pelican	*Pelecanus occidentalis californicus*	E	
California Least Tern	*Sternula antillarum browni*	E	E
Marbled Murrelet	*Brachyramphus marmoratus*	E	T
Northern Spotted Owl	*Strix occidentalis caurina*	T	T
Short-tailed Albatross	*Phoebastria albatrus*	E	E
Streaked Horned Lark	*Eremophila alpestris strigata*		T
Western Snowy Plover	*Charadrius nivosus nivosus*	T	T (Pacific Coast Population DPS)
Yellow-billed Cuckoo (Western DPS)	*Coccyzus americanus*		T
MAMMALS			
Blue Whale	*Balaenoptera musculus*	E	E
Canada Lynx	*Lynx canadensis*		T
Columbian White-tailed Deer (Columbia River DPS)	*Odocoileus virginianus leucurus*		T
Fin Whale	*Balaenoptera physalus*	E	E
Gray Whale	*Eschrichtius robustus*	E	
Humpback Whale	*Megaptera novaeangliae*	E	E
Killer Whale (Southern Resident DPS)	*Orcinus orca*		E
Kit Fox	*Vulpes macrotis*	T	
North Pacific Right Whale	*Eubalaena japonica*	E	E
Pacific Marten	*Martes caurina*		T (Coastal DPS)
Red Tree Vole (North Oregon Coast DPS)	*Arborimus longicaudus*		C
Sea Otter	*Enhydra lutris*	T	T
Sei Whale	*Balaenoptera borealis*	E	E
Sperm Whale	*Physeter macrocephalus*	E	E
Washington Ground Squirrel	*Urocitellus washingtoni*	E	
Wolverine	*Gulo gulo*	T	

* Listed under the Oregon Endangered Species Act (ORS 496.171 through 496.192)

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 modificationor 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 entities[1] (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 take[3] 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 office[4] 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 sits 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 trees[9] 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 data[18] 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=7514c715b8594944a6e468dd25aaacc9

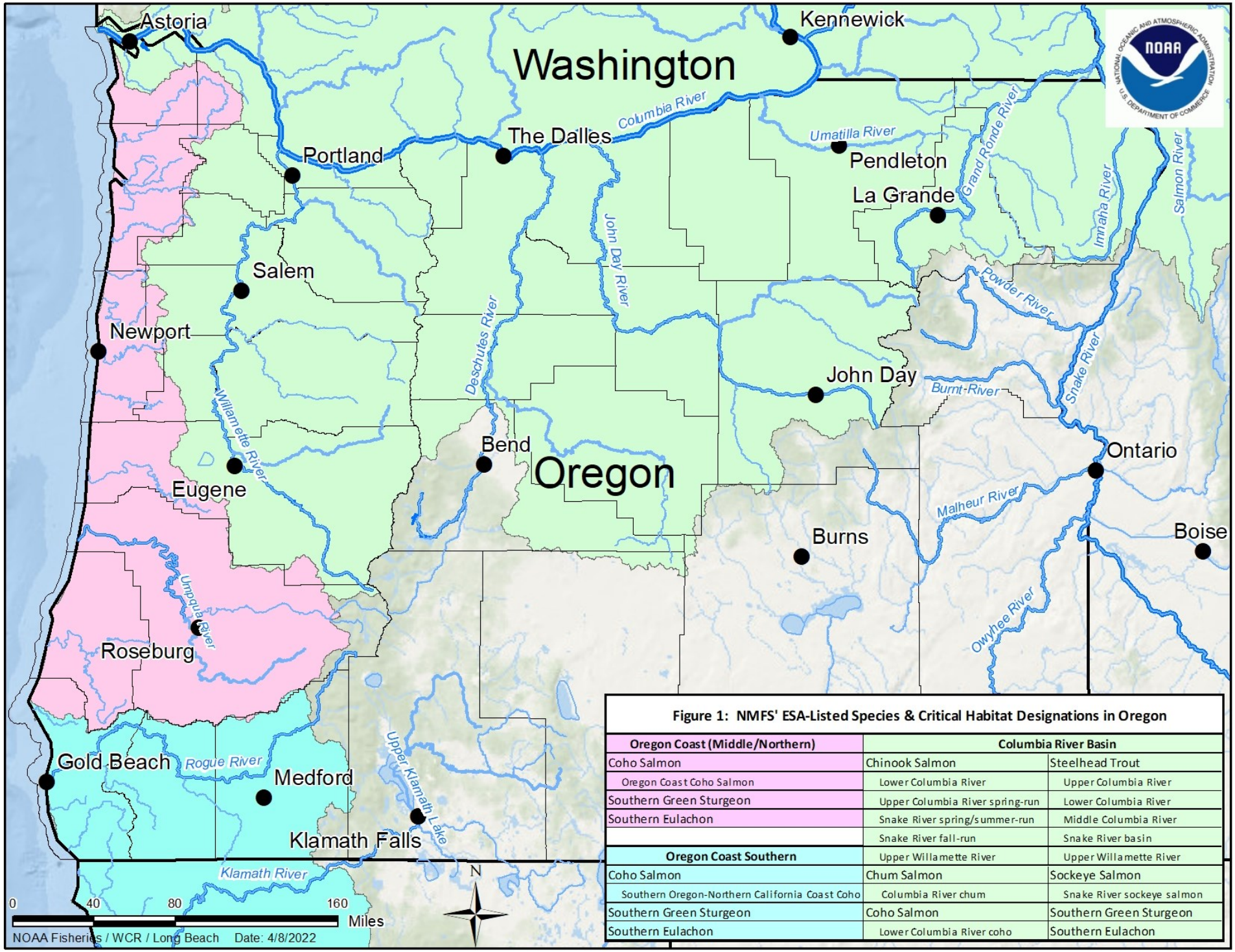


Figure 1: NMFS' ESA-Listed Species & Critical Habitat Designations in Oregon

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 riparian[22] 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 trees[25] 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 <u>does not</u> 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 take[32] 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 generation[34] 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 EndangeredSpecies 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]

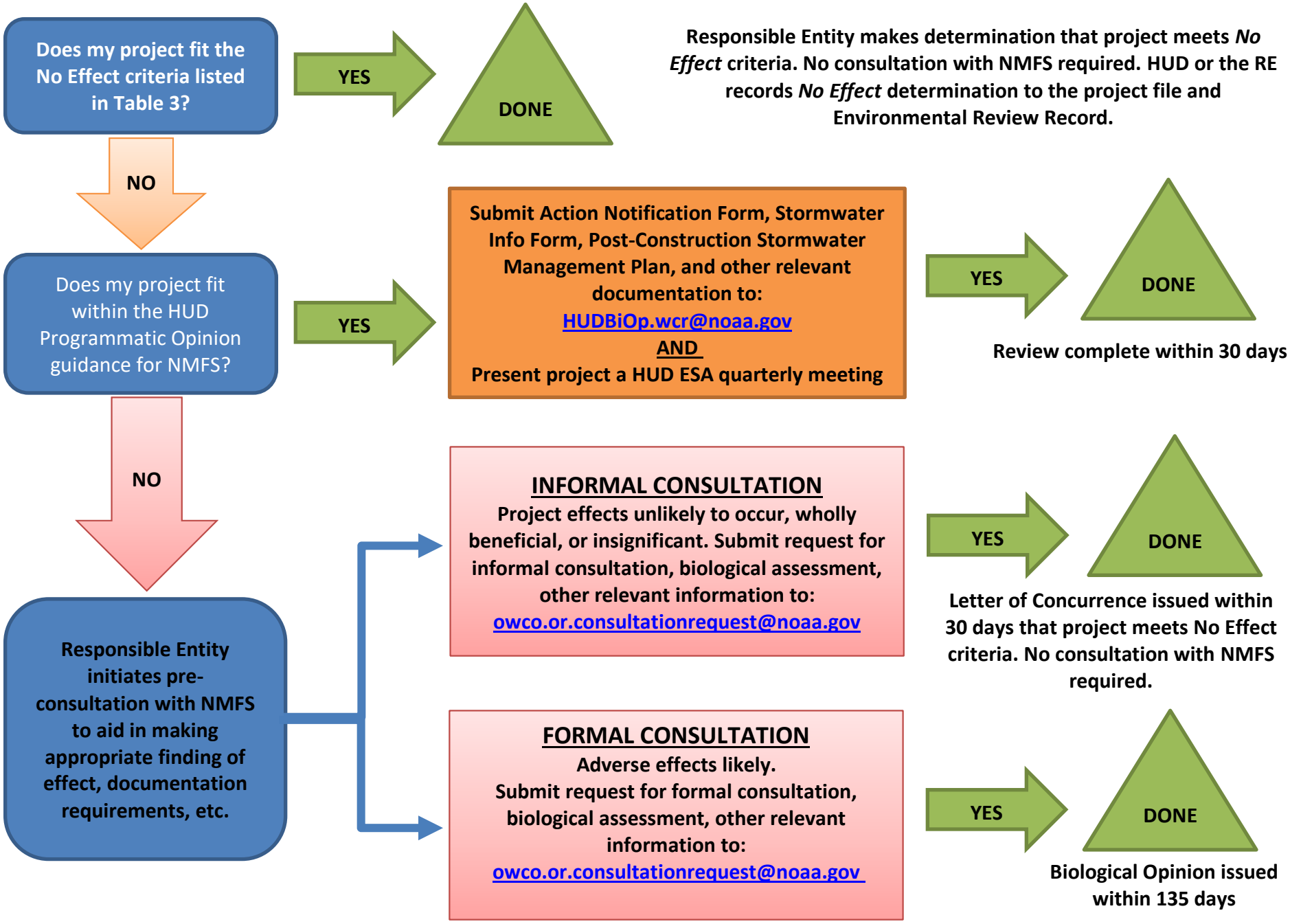
U.S. Department of Housing and Urban Development Housing Programs in Oregon. West Coast Region. Portland, Oregon. July 25, 2016. [https://www.hud.gov/states/shared/working/r10/environment]

[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.

FIGURE 2: NMFS ESA Consultation Process for HUD Projects in Oregon



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 willnot 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 listedspecies are expected to be ***discountable***, or ***insignificant***, or completely ***beneficial***.
  - ✓ ***Beneficial effects*** are contemporaneous positive effects without any adverse effects to thespecies.
  - ✓ ***Insignificant effects*** relate to the size of the impact and should never reach the scale where takeoccurs. 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 personwould 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-listedspecies 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.

From:	Munro, David
To:	Brad Rawls - NOAA Affiliate
Cc:	Antill, Erica; Dahlgren, Angela; RussoIII, Nick
Subject:	RE: Draft MOU – HUD 2016 BiOp for OHCS Homeowner Assistance and Reconstruction Program
Date:	Thursday, May 11, 2023 1:27:28 PM
Attachments:	NMFS MOU 05082023signed.pdf image001.png image002.png image003.png image004.png image007.png image005.png

---

Good morning Brad,

Thanks again for getting on the phone with us last week to discuss the draft MOU. The attached version should reflect our amendments based on your review and comments on the initial draft. Please let us know if you like any additional information. I assume you will forward this to Dr. Kratz and anyone else who may need to receive it.

Regards,

DM

David Munro | Senior Ecologist, PWS
Direct **+1 (503) 727-8061** | Mobile **+1 (503) 358-3021**
david.munro@tetratech.com

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TETRA TECH

From: Brad Rawls - NOAA Affiliate <brad.rawls@noaa.gov>
Sent: Friday, May 5, 2023 8:52 AM
To: Munro, David <David.Munro@tetratech.com>
Cc: Antill, Erica <ERICA.ANTILL@tetratech.com>; Dahlgren, Angela <Angela.Dahlgren@tetratech.com>; RussoIII, Nick <nick.russo3@tetratech.com>
Subject: Re: Draft MOU – HUD 2016 BiOp for OHCS Homeowner Assistance and Reconstruction Program

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My initial responses. Talk with you soon.

Brad Rawls - NOAA Affiliate
Consultation Biologist
Lynker Technologies
National Marine Fisheries Service
Office: 503.230.5414
Cell: 503.502.7862
brad.rawls@noaa.gov
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On Fri, May 5, 2023 at 8:13 AM Brad Rawls - NOAA Affiliate <brad.rawls@noaa.gov> wrote:

> Thanks, I'll take a look.
>
> **Brad Rawls - NOAA Affiliate**
> **Consultation Biologist**
> Lynker Technologies
> National Marine Fisheries Service
> Office: 503.230.5414
> **Cell: 503.502.7862**
> brad.rawls@noaa.gov
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>
> On Fri, May 5, 2023 at 8:00 AM Munro, David <David.Munro@tetratech.com> wrote:
>
> > Good morning Brad,
> >
> > This version of the MOU includes a number of responses to your comments as well as questions or requests for clarification on our part. The items highlighted in blue are your comments, and the items in yellow are questions and comments that we would like to discuss on our call today.
> >
> > Regards,
> >
> > DM
> >
> > **David Munro** | Senior Ecologist, PWS
> > Direct **+1 (503) 727-8061** | Mobile **+1 (503) 358-3021**
> > david.munro@tetratech.com

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TETRA TECH

From: Brad Rawls - NOAA Affiliate <brad.rawls@noaa.gov>
Sent: Thursday, April 6, 2023 1:46 PM
To: Munro, David <David.Munro@tetratech.com>
Cc: Antill, Erica <ERICA.ANTILL@tetratech.com>; Dahlgren, Angela <Angela.Dahlgren@tetratech.com>; RussoIII, Nick <nick.russo3@tetratech.com>
Subject: Re: Draft MOU – HUD 2016 BiOp for OHCS Homeowner Assistance and Reconstruction Program

⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hi David,

Attached, please find a marked-up copy of the draft MOU. Most of the edits are for clarification purposes. I am available to discuss tomorrow or most of next week.

Regards,

Brad Rawls - NOAA Affiliate
Consultation Biologist
Lynker Technologies
National Marine Fisheries Service
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Cell: 503.502.7862
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On Fri, Mar 31, 2023 at 11:00 AM Brad Rawls - NOAA Affiliate <brad.rawls@noaa.gov> wrote:

Hi David,

My apologies for the late response to HUD's Homeowner Assistance and Reconstruction Program (Program) MOU. I have completed my review of the MOU and forwarded my edits/recommendations to the Section 7 Coordinator for the Oregon-Washington Coast Office and the Willamette and Oregon Coast branch chiefs for their review, comments, and edits. I am expecting to receive all feedback early next week, at which time I will compile our response into a single marked-up document. While I did not see any fundamental concerns with the MOU, there were a number of elements that need additional clarification or further discussion with your team. As I do not typically deal with these sorts of agreements, I am largely dependent on my superiors to identify any concerns with the Program's overarching structure and mechanics. My goal is to have a marked-up copy of the MOU to you by April 5, 2023. Given the time sensitivity of the Program, I can be available to discuss NMFS' comments as early as April 7 or 8, so that we can return a signed MOU to HUD as quickly as possible. Please feel free to contact me should you have any questions or concerns.

Regards,

Brad Rawls - NOAA Affiliate
Consultation Biologist
Lynker Technologies
National Marine Fisheries Service
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On Tue, Mar 7, 2023 at 2:48 PM Munro, David <David.Munro@tetratech.com> wrote:

> Good afternoon Brad,
>
> I hope this email finds you well. I'm writing to follow up on our previous conversations about the development of a Memorandum of Understanding (MOU) for disaster recovery work from the 2020 Oregon fires. As you know, we are proposing that the Homeowner Assistance and Reconstruction Program conducted by the Oregon Housing and Community Services (OHCS) would be covered under the Housing and Urban Development (HUD) 2016 Biological Opinion. This MOU describes the approach for this coverage and incorporates acknowledgement of more recent NMFS guidance issued since the 2016 BiOp.

Due to the urgency of this disaster recovery work, we request a response no later than 30 days from today. Please review the attached MOU, and let us know if you have questions, concerns, or suggested revisions. We would be open to further conversations as needed to achieve concurrence in a timely fashion. Thank you for your consideration.

Sincerely,

David Munro

David Munro | Senior Ecologist, PWS
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david.munro@tetratech.com

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REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

Tuesday, May 8, 2023

Kim Kratz, Ph.D.
Assistant Regional Administrator
Oregon-Washington Coast Office
National Marine Fisheries Service
1201 Northeast Lloyd Blvd, Suite 1100
Portland, OR 97232

Transmitted via email: kim.kratz@noaa.gov; HUDBiOp.wcr@noaa.gov

Re: Memorandum of Understanding - Inclusion of Proposed Action under the 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 (NMFS No. WCR-2016-4853)

Dear Dr. Kratz:

The purpose of this Memorandum of Understanding (MOU) is to request agreement from the National Marine Fisheries Service (NMFS) on the proposed approach for the U.S. Department of Housing and Urban Development's (HUD) Homeowner Assistance and Reconstruction Program (Program) to meet its Endangered Species Act (ESA) and Magnuson-Stevens Fisheries Conservation and Management Act (MSA) inter-agency consultation obligations. The proposed action, detailed below, will fund the rehabilitation, construction or reconstruction of structures and infrastructure damaged during the 2020 wildfires that occurred in Oregon. An indeterminate number of these recovery actions will construct, reconstruct, or repair stormwater-generating impervious surfaces (e.g., roadways, sidewalks, roofs, parking lots). Stormwater runoff from such structures and infrastructure may adversely affect ESA-listed species, their designated critical habitat, and identified Essential Fish Habitat (EFH) as regulated under the MSA.

HUD anticipates this Program will fund discrete actions that range in impact from a finding of *No Effect* to *Likely to Adversely Affect* (LAA). HUD or its Responsible Entity (RE) will evaluate discrete, proposed actions and reach a finding of effect. To aid in reaching an appropriate finding HUD, or their RE, will utilize the *Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon* (2022), prepared jointly by NMFS and the U.S. Fish &

Wildlife Service. Actions that reach a finding of *No Effect* do not require consultation with NMFS. Projects that cannot meet the criteria for a *No Effect* finding will be evaluated by HUD, or its RE, through the *Programmatic Biological Opinion (PBO) for HUD Housing Programs in Oregon* (NMFS 2016). HUD, or its RE, will evaluate projects that may affect ESA and MSA resources and will submit their determination and supporting documentation to NMFS for review, per the mechanisms described in the HUD PBO. NMFS will review the submitted action for consistency with the HUD PBO. An action found to be consistent with the HUD PBO will be determined to have fulfilled its ESA and MSA obligations. Actions that do not reach a finding of *No Effect* and cannot meet the criteria established in the HUD PBO will require HUD, or its RE, to enter into formal consultation with NMFS to meet their ESA and MSA obligations. HUD believes that the vast majority of actions promulgated through this Program will satisfy their ESA and MSA obligations through documented compliance with the HUD PBO or by reaching a determination of *No Effect*.

Background

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially-declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). Oregon Housing and Community Services (OHCS) is the lead and responsible state agency for administering the CDBG-DR from HUD to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Program to support long-term recovery efforts in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

Programmatic Review

In accordance with 24 CFR Part 58, OHCS is facilitating the federally-required environmental reviews for ReOregon in the eight most affected counties. Assuming these duties, OHCS is the RE directly responsible for assuring that HUD funding actions comply with federal environmental laws, including the ESA and the MSA.

OHCS intends to perform a tiered NEPA environmental review of the Program to obtain programmatic clearances on elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential adverse impacts. Individual project sites will be reviewed on a site-by-site basis once they are identified. For those projects that would potentially impact ESA-listed species, their critical habitats,

and/or EFH, consultation with NMFS would be required prior to any construction activities occurring.

OHCS anticipates that certain project sites would result in the creation or redevelopment of impervious surfaces (e.g., roadways, sidewalks, parking lots, building roofs), and that the stormwater runoff from the new or redeveloped impervious surfaces may adversely affect ESA-listed species, their critical habitat, and/or EFH. To address potential adverse effects and expedite site-specific reviews for ESA and MSA compliance, OHCS believes that the 2016 HUD PBO would be applicable and is consistent with the proposed action described in the opinion as detailed below.

Proposed Actions of the Program

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes. It allows for the rehabilitation, reconstruction, acquisition, and replacement of single-family housing, including manufactured homes, and includes the following types of actions:

- Repairs to disaster-damaged primary structures;
- Reconstruction of the disaster-damaged primary structure inside original footprint;
- Reconstruction of the disaster-damaged primary structure outside original footprint;
- Repair and replacement of manufactured housing units;
- Acquisition;
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code);
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems;
- Handicap accessibility features;
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas;
- Fire hardening (potentially including metal roofing or siding);
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Of these actions, OHCS has determined that the only one with the potential to result in an increase of impervious surface areas compared to the original property is the reconstruction of the disaster-damaged primary structures outside the original footprint. However, many of the actions under the Program may result in the reconstruction or replacement of impervious surface areas within existing footprints; as such, all project activities that replace or reconstruct impervious surfaces, whether PGIS or non-PGIS, and whether inside the original property footprint or outside the original property footprint can have an effect on ESA/EFH-listed species and/or designated critical habitat, and will be reviewed for consistency with the 2016 HUD PBO.

Coverage of Proposed Actions under the Programmatic Biological Opinion

After reviewing the actions proposed under the Program as indicated in the bullets above, we find that they all fit within the Proposed Action as covered in the 2016 PBO, as excerpted below from Section 1.3:

> *HUD proposes to fund, or carry out, actions to construct or redevelop housing and public facilities in Oregon, including single and multifamily housing units, healthcare facilities (e.g., hospitals, senior centers, nursing homes), associated minor infrastructure (e.g., sidewalks, streets, utility lines), and similar activities. This opinion will not cover development of complex infrastructure such as a new road system or wastewater treatment facilities. Moreover, all proposed construction activity will occur at upland sites outside of riparian or aquatic habitats and will not require entry into, or any disturbance of, those habitats. As noted above, this includes projects that RE's will complete as authorized under 24 CFR Part 58.*

Four terms and conditions are required by the PBO (Section 2.9.4) to minimize the impacts of any actions covered under the PBO and include: quarterly ESA pre-consultation guidance for RE's; environmental reviews; quarterly training reports; and an annual coordination meeting. Of these four items, the only one that requires updating since development of the 2016 PBO is the Environmental Review, due to changes in the approach of effects determinations for creation or reconstruction of impervious surface area.

Effects Determination Including New Guidance

OHCS proposes to conduct the effect determination based on both the PBO and more recent guidance, as described below.

The effects determination criteria prescribed in PBO Appendix A, dated October 7, 2016, indicates that all actions would either be *No Effect* or *May Affect, Likely to Adversely Affect*, as NMFS has determined that stormwater effects are adverse effects and a finding of *May Affect, Not Likely to Adversely Affect* is not supported. The following items were eligible for a *No Effect* determination under the PBO:

> *(1) A project that retains on-site 100% of storm events up to, and including, the 10-year storm event[1] through infiltration, evaporation, or evapotranspiration best management practices, as applied to the entire project site (i.e. all impervious and landscape areas);*
> *(2) The project will not impact an area of natural habitat, a wetland, or riparian area;*
> *(3) The project complies with all state and local building codes and stormwater regulations;*
> *(4) The project does not rely on underground injection control methods to meet retention criteria; and*

[1] The water quality design storm is the 2-year, 24-hour storm for the project site's climate zone; see page A-5 of PBO Appendix A for further detail.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

(5) The project is certified by an engineer licensed to practice in the state of Oregon.

In addition to these criteria, OHCS would also follow more stringent updated guidance in conducting the effects determination, such as the *Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon* (HUD 2022). The checklist includes more specific criteria for elements that should be considered *No Effect* (pages 11 to 13) and indicates counties in which ESA-listed species and critical habitat do not occur (page 8).

We anticipate that most actions under the Program would result in a *No Effect* determination. When considering both the PBO and the 2022 checklist, we find that the Program actions most likely to result in an *LAA* determination and require further coordination with NMFS are as follows:

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside or outside original footprint.
- Fire hardening, especially if it includes metal roofing or siding, or removal of vegetation.
    - Removal of vegetation within riparian areas or 150 feet of an aquatic resource would preclude use of the PBO and would require formal consultation.
    - Metal roofing and siding made from galvanized metal shall be permitted if the product is sealed/coated from the manufacturer to prevent exposure of galvanized metal to precipitation. Similarly, gutters, flashing, fasteners, and other roofing components constructed of galvanized metal shall be permitted if coated/sealed to prevent exposure of galvanized metal to precipitation.
- Actions on properties located within riparian habitats.
- Actions reconstructing impervious surface areas.
- Actions resulting in increases in impervious surface areas.
- Actions resulting in replacing roofing or siding with galvanized metal or sheeting.
- Actions in areas where treatment of residential runoff by municipal stormwater facilities is already insufficient or may become overburdened through the project's actions.

Ensuring Compliance with Programmatic Biological Opinion and Newer Conservation Measures

All actions determined to be *LAA* would adhere to the requirements in PBO Appendix A. These include the development and implementation of the Post-Construction Stormwater Management Plan (PCSMP), presentation of projects at a quarterly meeting, review and approval of the PCSMP by NMFS, designing features based on low impact design (LID) principles, designing for both water quality and quantity, developing an operations and maintenance (O&M) plan for stormwater facilities and identifying the party responsible for implementing the O&M plan, following conveyance criteria as needed, submitting a project completion report, and recognizing that failure to report may trigger re-initiation of consultation.

In addition to the requirements of the PBO, more recent conservation measures targeting impacts of stormwater would also be implemented. It is expected that these would be captured by compliance with the most current LID principles, and that NMFS would alert OHCS to any required conservation measures during coordination for *LAA* actions.

Request for Concurrence to Utilize the 2016 HUD PBO for the ReOregon Program

In summary, OHCS believes the majority of anticipated actions are covered under the PBO and will conduct effects determinations in accordance with current regulatory guidance updated since the PBO was issued. OHCS will apply the appropriate terms and conditions as outlined in PBO Appendix A to all actions determined to be *LAA* and will apply any more recent required conservation measures identified by NMFS to address the impacts of creation or reconstruction of impervious surface areas.

OHCS is requesting NMFS' acknowledgement in writing that the Program actions can be reviewed and addressed under the 2016 PBO and updated guidance as described in this MOU, and that for any actions with the potential for impacts beyond those addressed in the PBO, Section 7 consultation would be initiated as appropriate. The written acknowledgement would be appended to the tiered environmental assessment, and OHCS would comply with all NMFS coordination requirements under the PBO. For any Program actions that are precluded from coverage under the PBO, OHCS would initiate pre-consultation and formal consultation with NMFS as needed to ensure appropriate environmental review.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires as quickly as possible. Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or David Munro, Senior Ecologist, Tetra Tech at David.Munro@tetratech.com.

Sincerely,

Ryan Flynn

Ryan Flynn, Assistant Director
Disaster Recovery & Resilience
Oregon Housing and Community Services
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: David Munro, Senior Ecologist
Tetra Tech
(503) 358-3021
David.Munro@tetratech.com

Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech
(386) 216-5568
angela.dahlgren@tetratech.com

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

October 6, 2023

Ryan Flynn
Assistant Director
Disaster Recovery & Resilience
Oregon Housing and Community Services
725 Summer St NE, Suite B
Salem, Oregon 97301

Re: National Marine Fisheries Service Response to the Oregon Housing and Community Services' Proposed Approach to Complete Endangered Species Act Section 7(a)(2) and Magnuson-Stevens Fishery Conservation and Management Act Consultations for Disaster Recovery Funds Disbursed through the Homeowner Assistance and Reconstruction Program in Oregon.

Dear Mr. Flynn:

On August 31, 2023, the National Marine Fisheries Service (NMFS) received the Oregon Housing and Community Services' (OHCS) request for agreement on their proposed approach to complete Endangered Species Act (ESA) Section 7(a)(2) and Magnuson-Stevens Fishery Conservation and Management Act (MSA) Essential Fish Habitat (EFH) consultations on the Homeowner Assistance and Reconstruction Program's (Program) disbursement of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds. NMFS recognizes that OHCS will act as the U.S. Department of Housing and Urban Development's (HUD) Responsible Entity (RE) under 24 CFR Part 58, whereby they will have responsibility to carry out ESA and MSA inter-agency consultation obligations on all CDBG-DR funds dispersed through the Program. Funds dispersed through the Program are specific to presidentially-declared disaster DR-4562, for the 2020 wildfires that occurred in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties, Oregon.

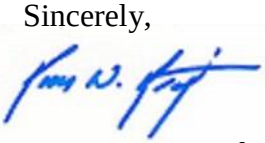
OHCS is proposing to review and make a finding of effect for all actions proposed and/or funded through the Program for potential effects to ESA-listed species, designated critical habitat, and EFH. As many of the anticipated Program actions will entail the reconstruction of residential and/or commercial structures, stormwater-related effects are anticipated. OHCS proposes to use the *Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon* (NMFS 2022) to aid in determining if a proposed action would have no effect on ESA-listed species or designated critical habitat. An action agency that reaches a determination of No Effect on a particular action does not consult with NMFS under section 7 of the ESA for that project. For those actions that may have stormwater-related effects on ESA-listed species and/or designated critical habitat, and the action meets all project design criteria, OHCS proposes to employ the *Programmatic Biological Opinion (PBO) for HUD Housing Programs in Oregon* (NMFS 2016) to meet ESA and MSA consultation obligations and obtain take coverage for those proposed actions. Proposed actions that will utilize the PBO will receive expedited review by

NMFS. Actions that do not meet the PBO's project design criteria or would jeopardize the continued existence of one or more ESA-listed species would require individual section 7 consultation. A small number of proposed actions may not meet the PBO's project design criteria or programmatic limitations; in such cases, OHCS proposes to consult with NMFS through an individual, section 7 consultation. Throughout the life of the Program, as resourcing allows, NMFS' staff will be available to provide technical assistance to OHCS' staff in the ESA and MSA consultation process.

NMFS' agrees that the process summarized here and described in detail in your letter is appropriate for meeting the Program's ESA and MSA consultation obligations. Finally, further coordination will be necessary to formalize the review process and presentation of individual actions at HUD's ESA quarterly meetings, with the goal of efficiently delivering disaster recovery funds to the citizens of Oregon while meeting all ESA and MSA compliance obligations. We look forward to working with you on next steps.

NMFS' point of contact for this program will be Brad Rawls, who can be reached at (503) 230-5414, or by email at brad.rawls@noaa.gov.

Sincerely,



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

cc: Ryan Flynn, Oregon Housing and Community Services
Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience
Brian Sturdivant, Regional Environmental Officer (REO), HUD
Toni Strutz, Field Environmental Officer (FEO), HUD
David Munro, Senior Ecologist, Tetratech
Angela Dahlgren, CDBG-DR Program Manager, Tetratech

ATTACHMENT I

Explosive and Flammable Hazards

No Tier I consultation deemed necessary.

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 definition of "HUD-assisted project" at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. The proposed project will not increase residential densities as they are single-family owner-occupied rehabilitation and reconstruction projects. Therefore, activities to reconstruct or rehabilitate housing that existed prior to the wildfire are not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C where the number of dwelling units is not increased, and the activities are limited to the general area of the pre-existing footprint.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

ATTACHMENT J

Farmland Protection

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:

   This program will provide grants to eligible homeowners to rehabilitate or reconstruct homes damaged or destroyed in federally declared disaster areas. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner. Project activities do not involve farmland conversion and take place on land that was already committed to urban development.

   → ***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=nrcs 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 Act does not apply to projects already in or committed to urban development or those that could otherwise not convert farmland to non-agricultural uses. Rehabilitation of an existing structure or reconstruction of a like structure in the same location would constitute a "no effect" as these projects would not convert farmland to nonagricultural purposes.

This program will provide grants to eligible homeowners to rehabilitate or reconstruct homes damaged or destroyed in federally declared disaster areas. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner.
Project activities do not involve farmland conversion and take place on land that was already committed to urban development.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

From: CATTO Chelsea * HCS
To: ron.alvarado@usda.gov
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:17:23 PM
Attachments: NRCS_Oregon.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Mr. Ron Alvarado, State Conservationist
National Resources Conservation Service
1201 NE Lloyd Blvd.
Portland, OR 97232
Transmitted via email: **ron.alvarado@usda.gov**

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Alvarado:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the National Resources Conservation Services with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock), and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

For rehabilitation/repair of an existing structure or reconstruction of a like structure in the same location, we believe (and are asking for your concurrence) that these types of actions would constitute a “no effect” as they would not convert farmland to nonagricultural purposes.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Prior to site-specific review, sites which involve new construction on a previously undisturbed parcel would undergo an initial screening for regulated farmlands.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

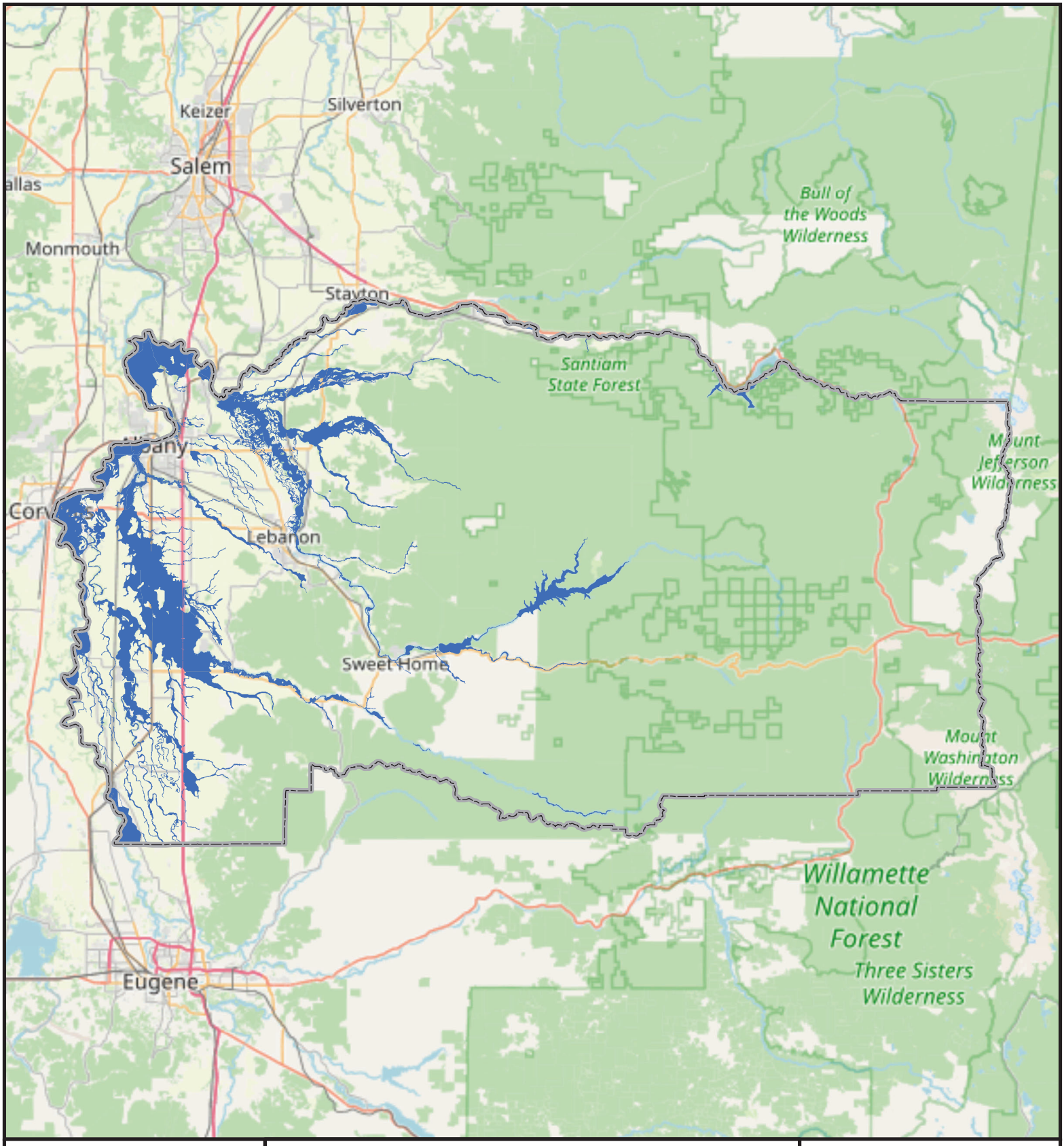
Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

ATTACHMENT K

Floodplain Management



TETRA TECH

Tier 1 Environmental Review
Floodplain Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

100 Yr Floodplain

Source: FEMA

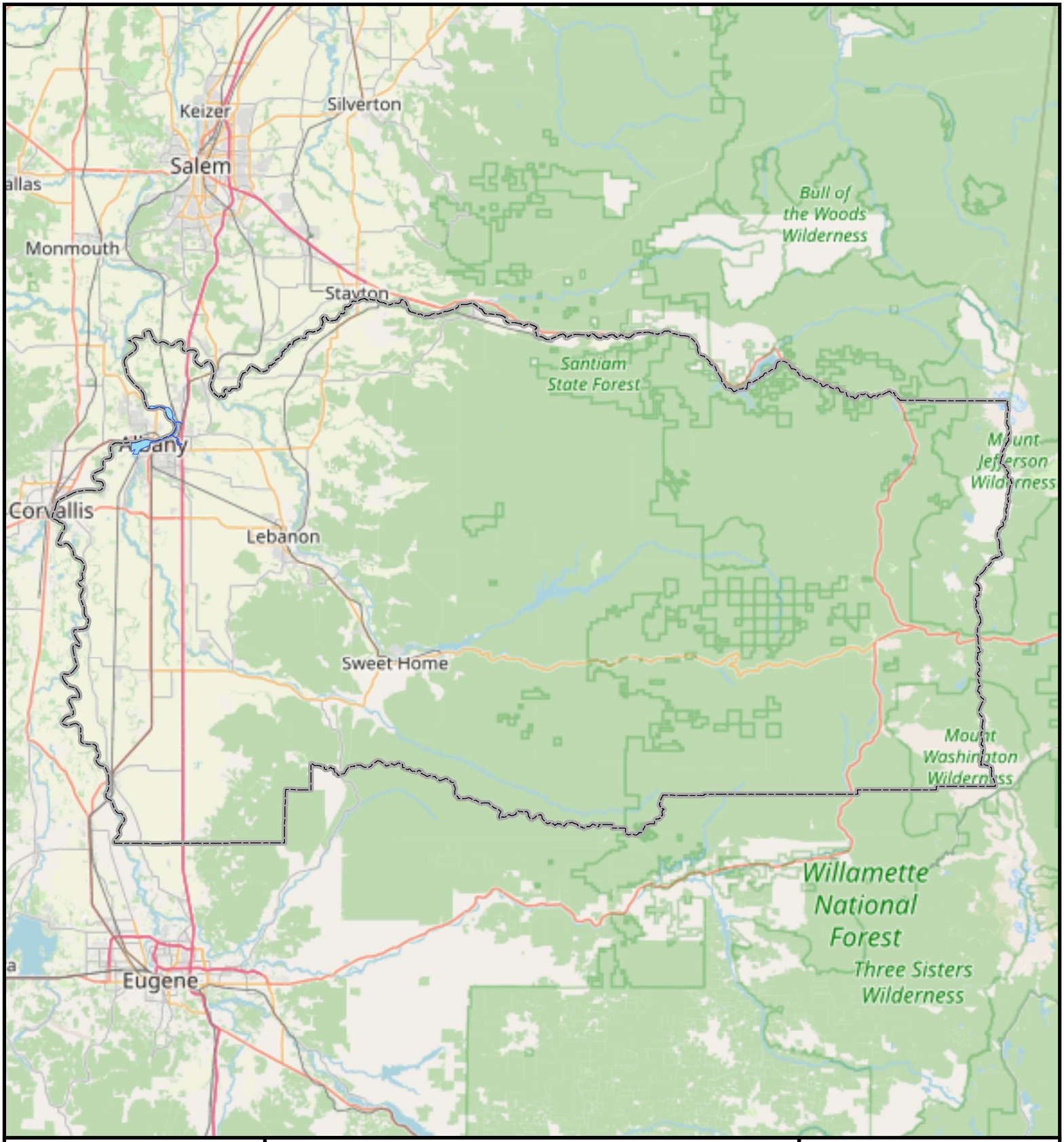
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Miles

0 12.5 25

Kilometers



TETRA TECH

Tier 1 Environmental Review
PFIRM Map
Linn County

Author: AK

Date: 3/30/2023

PFIRM Floodzone

County Boundary

Source: FEMA

N

0 5 10

Miles

0 12.5 25

Kilometers

From: Boles, Alyssa
To: Dahlgren, Angela
Cc: Wills, Steve
Subject: RE: 2022 CDBG-DR Tiered Environmental Review notice
Date: Friday, August 19, 2022 2:40:14 PM
Attachments: image002.png

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Good morning Angela,

In response to the letter received from Oregon Housing and Community Services disaster recovery programs, I've included a link to the County's Floodplain Management Code. The Code will contain applicable floodplain standards for the A and AE floodplains. Any construction proposed within the SFHA will require a building permit and floodplain review with the Department, along with compliance with applicable floodplain development standards.

http://www.co.linn.or.us/cc/LCC%20870%20-%20Floodplain%20Management.pdf

Feel free to get ahold of me with any questions or if I can be additional assistance.

Thanks,

Alyssa Boles, CFM
Planning Manager
Linn County Planning and Building
300 SW 4th Avenue | Albany, OR 97321
Office #: (541) 967-3816 ext. 2360
Fax #: (541) 926-2060

From: CATTO Chelsea * HCS [mailto:Chelsea.CATTO@hcs.oregon.gov]
Sent: Wednesday, August 3, 2022 5:11 PM
To: Boles, Alyssa <aboles@co.linn.or.us>
Cc: FLYNN Ryan * HCS <Ryan.FLYNN@hcs.oregon.gov>; Dahlgren, Angela <Angela.Dahlgren@tetratech.com>
Subject: 2022 CDBG-DR Tiered Environmental Review notice

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience

Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

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503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Alyssa Boles, Planning Manager
Planning and Building
300 SW 4th Avenue
P.O. Box 100
Albany, OR 97321
Transmitted via email: aboles@co.linn.or.us

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Boles:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program, approximately 71 of the damaged homes were located in Linn County. Individual project sites will be reviewed on a site-by-site basis once those sites are identified and a determination will be made using the best available data to determine if the site is located in a Special Flood Hazard Area (SFHA).

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the Linn County Planning and Building Department with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable) and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock), and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

OHCS intends to comply with any and all local building code requirements, including those applying to properties located in a SFHA. OHCS will discourage the placement or reconstruction of housing in the

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SFHA, wherever practicable; however, there may be homes that will be rebuilt or replaced in the SFHA. OHCS will ensure that all rehabilitation of substantial damage will meet the HUD and County-required elevation standards through the construction requirements of all CDBG-DR residential programs. As part of the Broad Environmental Review, OHCS is completing the 8-step decision making process for floodplain management considerations and protection of wetlands on a county-wide basis. Copies of the early and final notices required as part of the 8-step process will be forwarded to the Planning and Building Department on the day they are published in the local newspaper.

OHCS will require quality inspections and code compliance inspections on all projects and places, with an emphasis on high-quality, durable, sustainable, and energy-efficient construction methods and materials.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com) with any additional Linn County floodplain management regulations, code compliance, etc.

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

TITLE 8

BUILDING CODE

CHAPTER 870

FLOODPLAIN MANAGEMENT CODE

Statutory References and Other Authorities

Legislative History of Chapter 870 (formerly codified at Chapter 9.40)

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I. ADMINISTRATIVE PROVISIONS

870.010 Title

This chapter, LCC 870.010 to 870.999, shall be known and may be cited as the "Linn County Floodplain Management Code" or simply as the "Floodplain Management Code."

[Adopted 85-161 eff 5/1/85; amd 03-397 §1 eff 11/5/03]

870.020 Statutory authorization

This Chapter is adopted pursuant to ORS 203.035.

[Adopted 85-161 eff 5/1/85]

870.030 Statement of purpose

The provisions of this chapter are to promote public safety and welfare and minimize flood related losses by:

(A) Managing development in floodplain areas in order to reduce the potential for loss of life and property damage.

(B) Requiring the construction of structures and utilities in a manner that will reduce damage to the installations and prevent contamination and unsanitary conditions.

(C) Preventing encroachments that decrease the flood carrying capacities of floodways, increase flood heights, or otherwise aggravate flood problems.

(D) Managing the alteration of natural floodplains, channels, and natural protective barriers that help accommodate or channel flood waters.

(E) Reducing public costs for emergency operations, relief, evacuations and restorations.

(F) Reducing flood insurance and development costs through floodplain management.

[Adopted 85-161 eff 5/1/85; amd 03-397 §1 eff 11/5/03]

870.040 Scope

This chapter and each of its regulations shall apply to all areas of special flood hazard within the jurisdiction of Linn County, except areas within incorporated cities.

[Adopted 85-161 eff 5/1/85]

870.050 Definitions

(A) **"Accessory Structure"** means a building not over 200 square feet in floor area with an average roof height of less than ten (10) feet. For the purpose of this code, accessory structures are "new construction."

(B) "**Area of shallow flooding**" means a designated A0 Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

(C) "**Area of special flood hazard**" means the land in the floodplain that is subject to a one percent (1%) or greater chance of flooding in any given year.

(D) "**Base flood**" means a flood having a one percent (1%) chance of being equaled or exceeded in any given year. The term is also called the 100 year flood.

(E) "**Basement**" means any area of a building having its floor below ground level on all sides

(F) "**Building official**" means the person, or designee, charged by Linn County with responsibility for administration and enforcement of the State building code.

(G) "**Certification**" means an original document, legally authenticated, which provides written testimony as to the truth of any fact.

(H) **"Critical facility**" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations which produce, use or store hazardous materials or hazardous waste.

(I) "**Designated floodway**" means a floodway that has been designated on a Flood Insurance Rate Map (FIRM) applicable to Linn County.

(J) "**Development**" means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, partitioning or subdividing, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment located in the area of special flood hazard.

(K) "**Elevated building**" means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns..

(L) "**Elevation certificate**" means the Federal Emergency Management Agency National Flood Insurance Program Elevation Certificate.

(M) "**Flood**" or "**Flooding**" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) the overflow of inland waters; and

(2) the unusual and rapid accumulation of surface waters from any source.

(N) "**Flood fringe**" means that portion of the floodplain that lies beyond the floodway and serves as a temporary storage area for flood waters during a flooding event.

(O) "**Flood Insurance Rate Map**" or "**FIRM**" means the official map on which the Federal Insurance Administration has delineated areas of special flood hazards, designated floodways, and risk premium zones as applicable to Linn County.

(P) "**Flood Insurance Study**" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary/Floodway Map, and the water surface elevation of the base flood.

(Q) "**Floodplain**" means any land area susceptible to flooding from any source, the areas

of which are delineated on the Flood Insurance Rate Maps applicable to Linn County.

(R) "**Flood-proofing**" means any combination of structural and non-structural additions, changes or adjustments to structures or facilities which reduce or eliminate flood damage to improved or unimproved real estate, water and sanitary facilities, structures and their contents.

(S) "**Floodway**" means the channel of a river or other watercourse and those identifiable land areas that must be reserved in order to discharge a flood without cumulatively increasing the water surface elevation.

(T) "**Habitable floor**" means any floor used or designed for working, sleeping, eating, cooking, recreation, or any combination thereof.

(U) "**Highest adjacent natural grade**" means the highest natural grade (before any development or grading) in the area of the development touching a structure.

(V) "**Lowest floor**" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is built in accordance with this code.

(W) "**Manufactured home**" means a structure built in a factory that is transportable in one or more sections, built on a permanent chassis, designed for use as a permanent residence with or without a permanent foundation when connected to the required utilities. It does not include a recreational vehicle or travel trailer.

(X) **"New manufactured home park or subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

(Y) "**Non-habitable floor**" means any floor that is not a habitable floor or is used for storage purposes only.

(Z) **"Other buildings"** means detached garages, storage buildings, buildings, or other similar detached buildings accessory to one and two family dwellings.

(AA) "**Permanent construction**" does not include land preparation such as clearing, excavation for a basement, footings, piers or foundations, or the erection of forms.

(BB) "**Riverine**" means relating to, formed by, or resembling a river (including tributaries), streams, etc.

(CC) "**Start of construction**" means the first placement of permanent construction of a structure on a site such as the pouring of concrete, the installation of piles, the construction of columns, any work beyond excavation and the erection of forms, or the placement of a manufactured home on a foundation.

(1) The term includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit issuance.

(2) For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

(DD) "**Structure**" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. This term also includes a gas or liquid storage tank that is principally above ground.

(EE) **"Substantial damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would be equal or exceed 50 percent (50%) of the assessed market value of the structure before the damage occurred.

(FF) "**Substantial improvement**"

(1) means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the assessed market value of the structure either:

(a) before the improvement or repair is started; or

(b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur with the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the structure. All improvements shall be cumulative from the date of the adoption of this code. Permits for additions, appurtenant systems and equipment to buildings issued after the adoption of this code are defined as "**new construction**." The assessed market value of new construction shall not be used when determining substantial improvement. The building official shall determine the value of the new construction.

(2) This term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or

(b) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

(GG) "**Undesignated floodway**" means a floodway not designated on a Flood Insurance Rate Map applicable to Linn County.

(HH) **"Water dependent"** means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

[Adopted 85-161 eff 5/1/85; amd 86-540 §1 eff 9/17/86; amd 87-249 §1 eff 5/27/87; amd 87-442 §1 eff 9/9/87; amd 90-444 §1 eff 6/27/90; amd 03-397 §1 eff 11/5/03; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.060 Floodplain administrator

(A) *Appointment of floodplain administrator*. The building official is hereby appointed as the floodplain administrator. The duties of the administrator, in general, are to administer and enforce this chapter, except as to partitioning and subdividing, which shall be under the direction of the Director of the Planning and Building Department.

(B) *Duties of the floodplain administrator*. The specific duties of the floodplain administrator shall include, but not be limited to, the following:

(1) *Permit review and inspections*

(a) to review all development applications to determine whether the permit requirements of this chapter have been satisfied;

(b) to review all development permits to determine that all necessary permits have been obtained from the federal, state, or local government agencies from which prior approval is required;

(c) to review all development permits to determine if the proposed development is located in a floodway. If located in a floodway, assure that all of the standards of this code are met;

(d) to conduct inspections and determine compliance with this chapter.

(e) where elevation data is not available either through the Flood Insurance Study, FIRM, or another authoritative source (Section 870.080), applications for building permits shall be reviewed to determine whether the proposed building sites will be reasonably safe from flooding.

(2) *Information to be obtained and maintained*

(a) where base flood elevation data is provided through the Flood Insurance Study, to obtain and to record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures and record whether or not the structure contains a basement;

(b) for all new or substantially improved structures which are flood-proofed:

(i) to verify and record the actual floor and flood level elevations (in relation

to mean sea level) to which structures are flood-proofed; and

(ii) to maintain the flood-proofing certifications required by this code.

(c) in riverine situations, notify adjacent communities and the Department of Land Conservation and Development prior to any alteration or relocation of a watercourse and to submit copies of such notification to the Federal Insurance Administrator.

(d) to maintain records of all actions taken pursuant to this chapter.

(3) *Interpretation of FIRM boundaries*. To make inspections when necessary to determine the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

(4) *Interpretation of base flood elevations*. To determine the base flood elevation at a development site.

(5) *Assure the flood carrying capacity*. To assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

[Adopted 85-161 eff 5/1/85; amd 87-249 §1 eff 5/27/87; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.070 Basis for establishing the areas of special flood hazard

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled the *Flood Insurance Study for Linn County and Incorporated Areas,* dated September 29, 2010, as revised December 8, 2016, with accompanying flood insurance maps and revisions thereto are hereby adopted by reference and declared to be part of this code. The Flood Insurance Study is on file at the Linn County Planning and Building Department, Linn County Courthouse.

[Adopted 87-249 §1 eff 5/27/87; amd 10-311 §1 eff 9/22/10; amd 16-369 §1 eff 11/22/16]

870.080 Use of other base flood data

When base flood data is not available, the Floodplain Administrator shall obtain, review and reasonably use base flood and floodway data from other sources, i.e., Federal, State or historical sources.

[Adopted 85-161 eff 5/1/85; amd 87-249 §1 eff 5/27/87; amd 88-130 § 2 eff 7/5/88; amd 10-311 §1 eff 9/22/10]

870.090 Miscellaneous administrative provisions

(A) When terms of an Urban Growth Management agreement, adopted by both Linn County and an affected city, prescribes more stringent development standards within a floodplain, the more stringent requirement shall apply.

(B) This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions.

(C) If any section, clause, sentence or phrase of this Chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Chapter.

[Adopted 85-161 eff 5/1/85, 87-249 §1 eff 5/27/87; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10; amd 16-369 §1 eff 11/22/16]

II. DEVELOPMENT PERMITS AND CERTIFICATES

870.110 Permits

(A) *Development permit required*. No development may begin within any area of special flood hazard unless a development permit is first applied for and obtained by the property owner or the owner's authorized agent. The permit shall be for all development.

(B) *Permit application requirements*

(1) A person requesting a permit for development within an area of special flood hazard shall submit supporting documents to the Linn County Planning and Building Department as follows:

(a) two complete sets of plans for the development.

(b) a pre-development floodplain elevation worksheet.

(c) a document from the Linn County Department of Health Services Environmental Health Program that the site is suitable for

onsite sewage disposal if the proposed development is designed to generate sewage flows.

(d) land use approval.

(C) *Document review requirements*

(1) The submitted documents shall be reviewed in accordance with this chapter and such codes, laws, and rules that apply and either approved, or denied, or held for further study pending receipt of such additional information as may be necessary to fully evaluate the proposal. It shall be the applicant's responsibility to provide such additional information.

(2) Conditions necessary to carry out the purpose of this chapter may be attached to and become a part of any approval.

(3) If denied, a written copy of the reasons for denial shall be provided to the applicant.

(D) *Post-development elevation certificate*

(1) After the development has been completed, the applicant shall file with the floodplain administrator an elevation certificate for all new construction or substantial improvements within an area of special flood hazard.

(2) The elevation certificate shall be filed with the floodplain administrator before final inspection approval will be granted.

[Adopted 85-161 eff 5/1/85; ; amd 87-249 §1 eff 5/27/87 (and renumbering from 940.320); amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.130 General development requirements

(A) *Anchoring*

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement.

(2) All manufactured homes must likewise be anchored to prevent flotation, collapse, and lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to; use of over-the-top or frame ties to ground anchors (Reference FEMA's *"Manufactured Home Installation in Flood Hazard Areas"* guidebook for additional techniques).

(B) *Construction materials and methods*

(1) All structural and non-structural building materials at or below the base flood elevation shall be resistant to flood damage per FEMA *Technical Bulletin 2* .

(2) All new construction or substantial improvements shall be constructed using methods and practices that minimize flood damage.

(3) All new and replacement mechanical, electrical equipment, heating, ventilation, plumbing, air condition, other service facilities and components shall be elevated one foot (1') above the base flood elevation, or where the base flood elevation has not been established, two feet (2') above the highest adjacent grade .

(4) *Exception*. Paragraph (3) of this subsection does not apply to irrigation pump service equipment that is removed from the area of special flood hazard between November and May of each year.

(C) *Utilities*

(1) All electrical and mechanical components and equipment shall be elevated a minimum of one foot above the base flood elevation, flood-proofed or be listed and approved for installation in a wet location.

(2) Plumbing openings below less than one foot above base flood elevation shall be flood-proofed or equipped with approved back water valves.

(3) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood water into the system.

(4) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters. On site sewage disposal systems shall be located to avoid impairments to them, or contamination from them during flooding.

[Adopted 85-161 eff 5/1/85; amd 86-540 §1 eff 9/17/86; amd 87-249 §1 eff 5/27/87 [combining old 940.440, 940.450, 940.455, 940.460, and 940.430; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.140 Specific construction requirements; residential uses in unnumbered A zones and areas of shallow flooding (AO zones)

(A) *Residential construction*

(1) All new construction and substantial improvements of any residential structure constructed where base flood elevations have not been established (see Section 870.080), shall have the bottom of the lowest horizontal structural member of the lowest floor (including basement) located 18 inches above the highest natural grade within the boundary of the area of special flood hazard in the tax lot being developed.

(2) All new construction and substantial improvements of any residential structure constructed in Zone AO must be elevated so as to have the lowest horizontal structural member of the lowest floor (including basement) located a minimum of 18 inches above the depth number specified on the FIRM.

(3) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:

(a) a minimum of two openings having a total net area of net loss than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) the bottom of all openings shall be no higher than one foot above grade.

(c) openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(4) The interior crawlspace grade shall be at or above the lowest adjacent exterior grade.

(5) All structural and non-structural building materials at or below the 18 inch elevation requirement or flood depth requirement shall be flood resistant per FEMA *Technical Bulletin 2.*

(6) All electrical and mechanical components and equipment shall be elevated a minimum of two feet above highest adjacent grade or be listed and approved for installation in a wet location.

(7) Plumbing openings shall be flood proofed and equipped with back water valves.

(B) *Manufactured dwellings*

(1) Manufactured dwellings installed where base flood elevations have not been established within a special flood hazard area, shall have the bottom of the longitudinal chassis frame beam elevated a minimum of 18 inches above the highest natural grade within the boundary of the area of special flood hazard area on the tax lot being developed. In Zone AO, the manufactured dwelling must be elevated so the bottom of the longitudinal chassis frame beam is a minimum of 18 inches above the depth number specified on the FIRM.

(2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited.

(3) The interior crawlspace grade shall be at or above the lowest adjacent exterior grade.

(4) All structural and non-structural building materials at or below (a) the 18 inch requirement or (b) 18 inches above the depth number, shall be resistant per FEMA *Technical Bulletin 2.*

(5) All electrical and mechanical components and equipment shall be elevated at a minimum of two feet above highest adjacent grade or be listed and approved for installation in a wet location.

(6) Plumbing openings shall be flood proofed and equipped with back water valves.

(7) All manufactured dwellings shall be anchored according to one of the following:

(a) *Manufactured Home Installation in Flood Hazard Areas* guidebook; or

(b) supported on and secured to an approved foundation wall or basement wall; or

(c) attached to an approved structural skirting system; or

(d) Supported on and secured to a foundation system capable of resisting flooding that was designed by an Oregon professional engineer or architect and approved by the building official.

(8) The area below the elevated floor is non-habitable and is usable solely for parking of vehicles, building access or storage.

(C) *Other buildings*

(1) Other buildings, less than 200 square feet may have the floors below the minimum 18 inch above highest adjacent grade requirement, if all of the following conditions are met:

(a) there shall be a minimum of two openings having a total net free area of not less than one square inch for every square foot of enclosed area;

(b) the bottom of all openings shall be no higher than one foot (1') above finished grade;

(c) openings may be equipped with screens, louvers, or other coverings or devices provided that they allow the automatic entry and exit of flood waters;

(d) the floor, if installed, must be of concrete or blacktop;

(e) there shall be no interior finish within 18 inches of highest adjacent grade;

(f) All structural and non-structural building materials below the 18 inch requirement must be flood resistant per FEMA *Technical Bulletin 2.*

(D) Adequate drainage paths around structures on slopes are required to guide floodwaters around and away from proposed structures.

[Adopted 85-161 eff 5/1/85; amd 87-249 §1 eff 5/27/87 [combining old 940.465 and 940.470]; amd 87-442 § eff 9/9/87; amd 87-442 §1 eff 9/9/87; amd 90-444 §1 eff 6/27/90; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.141 Specific construction requirements; residential uses in Zone AE zones

(A) *Residential Structures*

(1) All new construction and substantial improvements of any residential structure shall have the bottom of the lowest horizontal structural member of the lowest floor (including basement) elevated to a minimum of 18 inches above base flood elevation on the FIRM.

(2) Fully enclosed areas below the lowest floor that are subjected to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

(a) a minimum of two openings having a total new area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) the bottom of all the openings shall be no higher than one foot above finished grade.

(c) openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(3) The interior crawlspace grade shall be at or above the lowest adjacent exterior grade.

(4) The area below the elevated floor is non-habitable and is usable solely for parking of vehicles, building access or storage.

(B) *Manufactured Dwellings*

(1) The ground area reserved for the placement of a manufactured dwelling supported by fully enclosed foundation walls shall be a minimum of one foot above BFE unless the foundation walls are designed to automatically equalize hydrostatic forces by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

(b) the bottom of all openings shall be no higher than one foot above grade; and

(c) openings may be equipped with screens, louvers, or other coverings or devices

provided that they permit the automatic entry and exit of flood waters.

(2) The bottom of the longitudinal chassis frame beam shall be a minimum of 18 inches above BFE.

(3) The manufactured dwelling shall be anchored to prevent flotation collapse and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's *"Manufactured Home Installation in Flood Hazard Areas"* guidebook for additional techniques), and; [44 CFR 60.3(c)(6)]

(4) Electrical crossover connections shall be a minimum of 18 inches above BFE.

(5) All structural and non-structural building materials at or below the base flood elevation shall be resistant per FEMA *Technical Bulletin 2*.

(6) All electrical and mechanical components and equipment shall be elevated at a minimum of one foot above the base flood elevation or be listed and approved for installation in a wet location.

(7) Plumbing openings below the elevation of one foot above base flood elevation shall be flood proofed and equipped with backwater valves.

(8) The interior crawlspace grade shall be at or above the lowest adjacent exterior grade.
[Adopted 10-311 §1 eff 9/22/10]

870.142 Specific construction requirements; nonresidential

(A) New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest horizontal structural member of the lowest floor (including basement):

(1) elevated a minimum of 18 inches above the base flood elevation, if in Zone AE or if a BFE has been established; or

(2) elevated no lower than 18 inches above the highest natural grade within the boundary of the area special flood hazard if located in Zone A; or

(3) elevated a minimum of 18 inches above the depth number specified on the FIRM if in Zone AO; or

(4) together with attendant utility and sanitary facilities, be completely flood proofed as follows:

(a) Zone A and Zone AE – be flood proofed so that below the depth number the structure is water tight with walls substantially impermeable to the passage of water.

(5) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(6) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specification, and plans and the Linn County Specialty Code. If this method is used, compliance shall be certified by a registered professional engineer or architect as in Section 870.142 (A) (2) (c).

(B) Applicants flood proofing nonresidential structures shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level.

(C) Adequate drainage paths around structures on slopes are required to guide floodwaters around and away from proposed structures.

(D) Nonresidential structures that are elevated, not flood proofed must meet the same standards for space below the lowest floor as described in 870.141 (A) (2), (3) and (4).
[Adopted 03-397 03-397 eff 11/5/03; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.143 Specific requirements for recreational vehicles

Recreational vehicles placed on sites shall:

(A) be on the site for fewer than 180 consecutive days;

(B) be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and

security devices, and has no permanently attached additions; or

(C) meet the anchoring requirements of 870.130 and the elevation requirements for manufactured homes as follows: Section 870.140(B) and Zone A and Zone AO and Section 870.141(B) for Zone AE.

[Adopted 10-311 §1 eff 9/22/10]

870.144 Specific construction requirements; "fill and excavation"

(A) All fill placed at or below the base flood elevation shall be balanced with at least an equal amount of material removed either on site or from an approved nearby area at or below the base flood elevation in the same drainage basin or provide certification by an engineer as per number (4) below. In addition to the requirements of LCC 850 (Fill and Excavation Code), when approved by the floodplain administrator fill may be placed in an area of special flood hazard when:

(1) a development permit is obtained;

(2) the net effect of fill and excavation operations (onsite) constitutes no positive change in fill volume;

(3) the proposed fill or excavation will not change the direction or velocity of flood water flow;

(4) the proposed fill or excavation will not cause a compounding of flood hazards; or

(5) a registered engineer shall certify that the proposed project will not cause a rise in the base flood elevation during a one hundred year event or create conditions that would be detrimental to adjacent or neighboring properties. The certification shall be provided with the development permit application.

(B) *Exception*: A fill or excavation of 50 cubic yards or less, not intended to support structures and meeting the requirements of paragraphs (2) and (3) of subsection (A) of this section, section 870.149, and section 870.150. All fill is cumulative from the date of the original adoption of this chapter (November 5, 2003).

[Adopted 03-397 03-397 eff 11/5/03; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.146 Specific construction requirements; "other development"

(A) A development permit is required for solid fences, above ground driveways, and accessory structures.

(B) Other development such as solid fences, above ground driveways, and accessory structures shall be designed and placed so as to not alter or obstruct the flow of flood water, and where applicable, anchored to prevent flotation, collapse, or lateral movement.

[Adopted 03-397 03-397 eff 11/5/03; amd 03-397 §1 eff 11/5/03]

870.149 Before regulatory floodway

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

[Adopted 10-311 §1 eff 9/22/10]

870.150 Floodways

Because the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and other potential projectiles, and has erosion potential, the following provisions shall apply:

(A) All proposed development including fill, new construction, substantial improvements, and other development must be certified by an Oregon professional engineer . demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge. The engineer will also certify the proposed development will not create conditions that would be detrimental to adjacent or neighboring properties.

(B) If Section (A) above is satisfied, all new construction and substantial improvements shall

comply with all applicable flood hazard reduction provisions of this chapter.
[Adopted 85-161 eff 5/1/85; amd 87-249 §1 eff 5/27/87; amd 03-397 §1 eff 11/5/03; amd 10-311 §1 eff 9/22/10]

870.160 Applicability of Linn County Specialty Code

All new construction and substantial improvements requiring flood proofing shall be constructed in accordance with this chapter and the applicable sections of the Linn County Specialty Code.
[Adopted 03-397 03-397 eff 11/5/03; amd 03-397 §1 eff 11/5/03

870.170 Impact on flood insurance

When approval is given to construct a building with the floor below the base flood elevation the applicant shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
[Adopted 85-161 eff 5/1/85; amd 03-397 §1 eff 11/5/03]

870.180 Subdivision and partition proposals

(A) All subdivision and partition proposals shall be consistent with the need to minimize flood damage.

(B) All subdivision and partition proposals shall have the public utilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

(C) All subdivision and partition proposals shall have adequate drainage provided to reduce exposure to flood damage.

(D) The applicant shall provide base flood elevation data (if unknown) for all subdivisions.
[Adopted 03-397 03-397 eff 11/5/03; amd 03-397 §1 eff 11/5/03]

III. ENFORCEMENT

870.900 Prohibited activities

(A) No person shall engage in or procure, aid or abet any other person to engage in any conduct or activity for which a development permit is required without first having obtained such permit.

(B) No person shall construct or erect any flood barrier that will divert flood waters or may increase flood hazards in other areas.

(C) No person shall make alterations of a natural floodplain, channel, or any natural protective barrier that will increase flood hazards.
[Adopted 03-397 03-397 eff 11/5/03]

870.930 Warning and disclaimer of liability

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes, and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased as a result of failure of manmade structures and/or natural causes. This chapter does not imply that the land outside the area of special flood hazards, or uses permitted within such area, will be free from flooding or flood damages. This chapter shall not create liability on the part of Linn County, any officer or employee thereof, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
[Adopted 03-397 03-397 eff 11/5/03]

870.950 Penalties for noncompliance

Any person violating the terms of this chapter by failure to comply with any of its requirements commits a violation of this code and is subject to enforcement under the terms of LCC 240 (Linn County Enforcement Code).
[Adopted 85-161 eff 5/1/85; renumbered from 940.335]

Statutory References and Other Authorities: 44 CFR 60.3(b)(3); ORS 203; Urban Growth Boundary Agreements; Federal Emergency Management Act (FEMA); FEMA's *Manufactured Home Installation in Flood Hazard Areas*; National Register of Historic Resources; Linn County Register of Historic Resources; Federal Emergency Management Agency (FEMA) *Flood Insurance Study for Linn County, Oregon and Incorporated Areas* dated September 29, 2010, as revised December 8, 2016; and LCC Chapters 850

(Fill & Excavation Code) and 903 (Natural Resources Element Code).

Legislative History of Chapter 870 (formerly codified at Chapter 9.40):

Adopted by 80-461 eff 3/30/81
Adopted by 85-161 eff 5/1/85; repealing 80-461
Amendments to 85-161
#1 86-540 eff 9/17/86
#2 87-249 eff 5/27/87
#3 87-442 eff 9/9/87
#4 88-130 eff 7/5/88
#5 90-444 eff 6/27/90
#6 95-177 eff 5/10/95 (renumbering)
#7 03-397 eff 11/5/03
#8 10-311 eff 9/22/10
#9 16-369 eff 11/22/16

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8-STEP DECISION-MAKING PROCESS

Executive Order 11988 – Floodplain Management

Executive Order 11990 – Protection of Wetlands

U.S. Department of Housing and Urban Development Community Development Block Grant - Disaster Recovery

March 2, 2023

This 8-step Decision-Making (8-step) Process document addresses the requirements of Executive Order 11988, "Floodplain Management" and Executive Order 11990, "Protection of Wetlands" and has been completed in anticipation of numerous unspecified single-family housing properties participating in The Oregon Housing and Community Services (OHCS) Community Development Block Grant – Disaster Recovery Program. This document pertains to proposed activities located in the 100-year floodplain A and V zones (whether advisory, preliminary, or final) and those adjacent to wetlands. This HUD funded program administered by OHCS was established as a grant award to support long-term recovery efforts following the 2020 Wildfires (DR-4526).

This 8-step covers The Homeowner Assistance and Reconstruction Program which will provide assistance in the form of grants to eligible homeowners who experienced damage to their homes from the 2020 Wildfires and have remaining recovery needs after accounting for other duplicative benefits received. The Program will fund eligible rehabilitation, reconstruction, and MHU replacement costs, including additional costs to comply with federal, State, and local construction standards, such as replacing on-site residential infrastructure, complying with green building standards, and ensuring that homes are accessible for individuals living with disabilities and senior residents.

Step ONE: Determine whether the Proposed Action is in a 100-year Floodplain or Wetland

The proposed action will occur on scattered sites, not yet fully identified, throughout the Presidentially declared disaster-damaged areas listed in Step TWO below. Since the program area is County-wide, some selected sites may be in the 100-year floodplain and/or adjacent to a wetland. The proposed action is for the MHU replacement, rehabilitation, and/or reconstruction of single-family fire damaged or destroyed homes. This project does not meet the exceptions at 24 CFR 55.12 and therefore an 8-step analysis of the direct and indirect impacts associated with the construction, occupancy, and potential modification of floodplains and/or wetlands applies.

As noted in the OHCS Action Plan, based on FEMA IA data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. However, it is likely that there are more than 10 impacted properties in the SFHA. OHCS will discourage the placement or reconstruction of housing in the SFHA, wherever practicable; however, there may be homes that will be rehabilitated, reconstructed, or replaced in the SFHA. OHCS will ensure that the reconstruction and rehabilitation of substantially damaged properties located in a 100-year floodplain will meet the required elevation standards. The table below shows the percentage of floodplain in each of the 8-Counties covered under this 8-step decision making process.

Impacted County	Approximate Destroyed or Damaged Single-Family Homes	Approximate Total County (Acres)	Effective FIRM 100-Year Floodplain (Acres)	Preliminary FIRM 100-Year Floodplain (Acres)	Combined FIRM and PFIRM Total 100-Year Floodplain (Acres)	Approximate County Acres in 100-Year Floodplain (%)
Clackamas	62	1,206,348	23,145.27		23,145.27	**1.92%**
Douglas	138	3,285,411	69,960.36		69,960.36	**2.13%**
Jackson	2,180	1,792,789	23,721.58		23,721.58	**1.32%**
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	**0.15%**
Lane	615	3,023,558	142,499.90	18,792.89	161,292.79	**5.33%**
Lincoln	288	763,111	37,935.92		37,935.92	**4.97%**
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	**7.67%**
Marion	633	762,636	54,591.56		54,591.56	**7.16%**

No construction will be allowed in a wetland. However, some home reconstructions and/or rehabilitation activities may be adjacent to a wetland. All construction activities adjacent to wetlands will incorporate the wetland mitigation measures outlined in Step Five below. All properties in the Homeowner Assistance and Reconstruction Program will be single-family residential properties on previously developed parcels. New construction is not covered under this Decision-Making Process document.

Once an Applicant property is identified, the Applicant's site address will be plotted using Geographic Information Systems (GIS) to accurately determine the location of the Applicant's property in relation to the 100-year floodplain or wetland. A desktop review of each property will be conducted to determine the following characteristics of each property:

1) Geo-location of the parcel and if the parcel has any portion within the 100-year floodplain or wetland
2) Determination of whether the Applicant's structure intersects the 100-year floodplain (if the parcel is within the floodplain and the structure is not, the requirement for elevation of the structure and flood insurance is not applicable).

In addition, site visits will be made to each property to verify the geographic location by collecting precise latitude/longitude positions using a Global Positioning System (GPS) device. Below is a summary of the steps for the review process:

1. Locate the parcel on the GIS system with flood map overlays;
2. Conduct a site inspection by experienced inspectors with survey-grade GPS equipment to verify location and observe presence of nearby 100-year floodplains and/or water body(s), if any, to provide field verification to data received by the OHCS; and
3. Complete the site-specific evaluation for each Applicant location and verify if and how the proposed action will impact the 100-year floodplain and/or wetland.

Step TWO: <u>Early Public Review</u>

A 15-day "Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland" was published for the 8-Impacted Counties in the newspapers listed below.

County	Newspaper	Published	Comment Period Ended
Linn	Albany Democrat-Herald	Friday, December 23, 2022	Monday, January 9, 2023
Lane	The Register-Guard	Friday, December 23, 2022	Monday, January 9, 2023
Douglas	The News Review	Friday, December 23, 2022	Monday, January 9, 2023
Marion	Statesman Journal	Wednesday, December 21, 2022	Friday, January 6, 2023
Jackson	Mail Tribune	Wednesday, December 28, 2022	Friday, January 13, 2023
Klamath	Herald and News	Saturday, December 24, 2022	Tuesday, January 10, 2023
Clackamas	Estacada News	Thursday, December 29, 2022	Monday, January 16, 2023
Lincoln	The News Guard	Tuesday, December 27, 2022	Thursday, January 12, 2023
Statewide	The Oregonian	Friday, December 23, 2022	Monday, January 9, 2023

The notice was published in both English and Spanish. The notice was also sent to the following Federal and State agencies: Oregon Department of Environmental Quality, Lane Regional Air Protection Agency, Oregon Department of Land Conservation and Development, U.S. Fish and Wildlife Service, NOAA Fisheries Service, Natural Resources and Conservation Services, FEMA Region 10, Clackamas County Floodplain Management District, Douglas County Planning Department, Jackson County Development Services, Klamath County Planning Division, Lane County Land Management Division, Lincoln County Department of Planning and Development, Linn County Planning and Building, Marion County Public Works, Oregon State Historic Preservation Office, U.S. Environmental Protection Agency, U.S. Corp of Engineers (Northwestern and South Pacific Division), Oregon Parks and Recreation Department, National Park Service, and HUD Region 10.

No public comments were received on the Early Floodplain Notice.

Attachment 1: Early Public Notice (Step TWO) English Version (Statewide)
Attachment 2: Early Public Notice (Step TWO) Spanish Version (Statewide)
Attachment 3: Early Notice Letter to Interested Agencies
Attachment 4: Early Notices as Published in Circulars/Affidavits of Publication
Attachment 5: List of Comments received by OHCS

Step THREE: Identify and Evaluate Practicable Alternatives.

The Program will provide financial assistance to rehabilitate and reconstruct single-family housing damaged by the 2020 Wildfires. OHCS considered several alternatives for the Homeowner Assistance and Reconstruction Program.

Alternative 1: Perform Home Rehabilitation/Reconstruction and MHU Replacement in the 100-year floodplain, but not in the Floodway.

Alternative 1 (Proposed Action) appears to be the best option as it allows the maximum number of homes to be repaired and/or reconstructed under the program. The program is designed to recover the affordable housing that was damaged or destroyed by the 2020 Wildfires. Homes that were previously built in a

floodplain and destroyed by wildfire may be rehabilitated and/or reconstructed on the same site. All mitigation measures listed in Step 5 must be followed for rehabilitation, reconstruction and MHU replacement in the 100-year floodplain. Homes that were in the floodway may not be rebuilt under the OHCS Program. Based on FEMA IA data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. Therefore, it is likely that the majority of homes in the Program will not be located in the 100-year floodplain.

No construction activities will be allowed in existing wetlands. However, some homes in the Program may be wetland adjacent. For those properties, the mitigation measures listed in Step 5 must be incorporated into the site-specific work plans.

Alternative 2: All Single-family Homes Selected for the Program Must be Outside the 100-year Floodplain.
This option, while it allows OHCS to avoid any elevation requirements for reconstruction in the 100-year floodplain, does not allow the maximum number of homeowners to be served by the Program. This option would deny aid to willing very low-, low-, and moderate-income homeowners to receive repairs or reconstruction of their disaster impacted homes and deny opportunities to aid with actions that restore neighborhoods by preserving the quality and property value of homes. This option does not promote the OHCS disaster funding goal, which is to help communities and neighborhoods that otherwise might not recover due to limited resources.

Alternative 3: Relocating Homes Outside the Floodplain.
The benefits of performing residential reconstruction, rehabilitation, and elevation activities on the currently occupied sites include, but are not limited to; sites are owned by the current residents, sites are adequately sized and are consistent with surrounding land uses and have already met the requirements for funding under the current program. A search for suitably sized, available sites outside the floodplain and/or adjacent to wetlands and the procurement of other sources of available funding would extend the amount of time that residents would be displaced. In addition, the approved Action Plan does not include a home-owner relocation or buy-out option.

Alternative 4: No-Action Alternative.
Under the No Action alternative, the Homeowner Assistance and Reconstruction Program would not occur. This alternative was rejected because it would result in continued displacement of residents. This alternative does not achieve the OHCS goals of restoring fire damaged housing for its residents, nor does it promote planning and implementation of resilience measures to mitigate damage from future wildfires. Residents would continue to be displaced from their homes. In addition, abandoned structures may not be demolished, posing a lingering health and safety risk. Because of these reasons, the No-Action alternative was not considered viable.

Step FOUR: Identify the Impacts of the Proposed Action

The Proposed Action will have no adverse impacts on the floodplain/wetlands that cannot be mitigated. The Proposed Action will not result in the development of new housing sites, as all work under the Program will be conducted on previously developed residential properties. All applicants with properties in the 100-year floodplain as shown on the effective FIRM would also be required to maintain flood insurance up to the NFIP's required amount for the economic life of the structure. Also, the proposed Program, as addressed in this Decision-Making Process Document, would not increase floodplain occupancy, as the Program would only

enable people to return to their homes, but would not expand the housing stock relative to conditions prior to the 2020 Wildfires. No construction activities will be allowed in existing wetlands.

Step FIVE: Mitigate Adverse Impacts

Where practicable, OHCS will design and modify the proposed action to minimize the potential adverse impacts to lives and property and preserve the beneficial values provided by floodplains and wetlands. Construction adjacent to wetlands will require implementation of best management practices (BMPs) to prevent impacts to water quality and wetlands ecosystems. For work adjacent to wetlands, construction teams will install silt fencing and/or hay bales between the work site and wetland area to prevent impacts from soil erosion and stormwater runoff into wetland areas. Mitigation of impacts to potential wetland species will be conducted as part of the Tier 2 site-specific review of biological resources for each selected site.

For substantial rehabilitation and reconstruction, design and construction will adhere to all applicable building codes and local floodplain ordinances including any limitations on placing fill in the floodplain, raising finished floor elevations, and using flood resistant design and materials where required. All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). Where feasible, OHCS plans on requiring applicants with residential structures located in the 500-year floodplain to elevate to at least 3 feet above the 100-year floodplain.

The Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) requires that projects receiving federal assistance and located in an area identified by FEMA as being within a Special Flood Hazard Areas, such as the 100-year floodplain, be covered by flood insurance under the National Flood Insurance Program. HCD will require proof of insurance as part of the OOR Program application process.

Step SIX: Re-evaluate Alternatives

OHCS has determined the most practicable alternative is Alternative 1: **Perform Home Rehabilitation and or Reconstruction and MHU Replacement in the 100-year floodplain, but not in the Floodway.** This course of action best meets the requirement of the Program which includes providing safe housing for applicants while allowing them to remain in their existing communities. Applicants whose structures require substantial improvement or reconstruction will be elevated 2-feet above base flood elevation. Any potential adverse impacts will be mitigated by performing no new development in the floodplain and allowing no Program funded work in the floodway. Design and construction will adhere to local building codes and floodplain ordinance requirements. BMPs for soil erosion, stormwater management and protection of wetlands will be applied through minimum construction standards.

Alternative 2 (**All Single-family Homes Selected for the Program Must be Outside the 100-year Floodplain)** was not selected as it would not allow the maximum number of homeowners to be served by the CDBG-DR OHCS Program. This option would deny aid to homeowners who need rehabilitation or reconstruction of their disaster affected homes and deny opportunities to aid with actions that restore neighborhoods by preserving the quality and value of homes.

Alternative 3 (Relocating Homes Outside the Floodplain) was not selected as a search for suitably sized, available sites outside the floodplain and/or adjacent to wetlands with existing infrastructure in place would extend the amount of time that residents would be displaced.

Alternative 4 (No-Action Alternative) was not selected as this action would not provide homeowners with financial assistance. As a result ,these homeowners may not be able to recover and have affordable housing. Furthermore, this alternative would not address the shortage of safe housing caused by the 2020 Wildfires.

Step SEVEN: Issue Findings and Public Explanation

It is Oregon's determination that there is no practicable alternative to locating the Proposed Action in the floodplain. This is due to:

- The need to provide safe, decent, and affordable housing;
- The desire to not displace residents; and
- The ability to mitigate and minimize impacts on human health, property, and floodplain values.

A "Final Notice of Policy Determination" was published in accordance with 24 CFR 55, for a 15-day comment period for the 8-Impacted Counties in the newspapers listed below. The notice states the reasons why the project must be in a floodplain, a list of alternatives considered, and all mitigation measures to be taken to minimize impacts and preserve natural and beneficial floodplain values.

County	Newspaper	Published	Comment Period Ended
Linn	The Oregonian	Wednesday, October 18, 2023	Friday, November 3, 2023
Lane	The Register-Guard	Monday, October 16, 2023	Friday, November 3, 2023
Douglas	The News Review	Tuesday, October 17, 2023	Friday, November 3, 2023
Marion	Statesman Journal	Wednesday, October 18, 2023	Friday, November 3, 2023
Jackson	The Oregonian	Wednesday, October 18, 2023	Friday, November 3, 2023
Klamath	Herald and News	Saturday, October 14, 2023	Friday, November 3, 2023
Clackamas	Estacada News	Thursday, October 19, 2023	Friday, November 3, 2023
Lincoln	The News Guard	Tuesday, October 17, 2023	Friday, November 3, 2023
Statewide	The Oregonian	Wednesday, October 18, 2023	Friday, November 3, 2023

The notice was published in both English and Spanish. The notice was also sent to the following Federal and State agencies: Oregon Department of Environmental Quality, Lane Regional Air Protection Agency, Oregon Department of Land Conservation and Development, U.S. Fish and Wildlife Service, NOAA Fisheries Service, Natural Resources and Conservation Services, FEMA Region 10, Clackamas County Floodplain Management District, Douglas County Planning Department, Jackson County Development Services, Klamath County Planning Division, Lane County Land Management Division, Lincoln County Department of Planning and Development, Linn County Planning and Building, Marion County Public Works, Oregon State Historic Preservation Office, U.S. Environmental Protection Agency, U.S. Corp of Engineers (Northwestern and South Pacific Division), Oregon Parks and Recreation Department, National Park Service, and HUD Region 10.

No public comments were received on the Final Floodplain Notice.

Attachment 6: Final Public Notice (Step SEVEN) English Version (Statewide)
Attachment 7: Final Public Notice (Step SEVEN) Spanish Version (Statewide)
Attachment 8: Final Notice Letter to Interested Agencies
Attachment 9: Affidavits of Publication
Attachment 10: Final Notice Comments

Step EIGHT: Implement the Proposed Action

This step is implementation of the proposed alternative. The OHCS will verify that all mitigation measures prescribed in the steps above will be followed.

8-Step Decision Making Process

Attachment 1

Early Public Notice-English Version

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland
Eight Disaster-Declared Impacted Counties

To: All interested Agencies, Groups, and Individuals

This is to give notice that Oregon Housing and Community Services (OHCS) is conducting an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands, to determine the potential effect that its activity in the floodplain and wetland will have on the human environment for residents of the eight disaster declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) that are eligible and request participation in Programs of the Community Development Block Grant – Disaster Recovery (CDBG-DR) under Title I of the Housing and Community Development Act of 1974 (PL-93-383). A portion of the activities may be located in the 100-year floodplain or a wetland.

OHCS allocation of the CDBG-DR funds under grant B-21-DZ-41-0001 (PL 117-43) will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance Rehabilitation and Reconstruction Program for the purpose of rehabilitating and/or reconstructing single-family homes. This is a multi-year project 2023-2028 where OHCS will be carrying out various individual actions on single family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and /or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and /or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and /or wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the Oregon Housing and Community Services on or before January 9, 2023. Attention: The OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov (include subject: Early Floodplain/Wetland Notice Comments). As an alternative, comments may be submitted on paper to OHCS, to the following address:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B
Salem, OR 97301

Date: December 23, 2022

8-Step Decision Making Process

Attachment 2

Early Public Notice-Spanish Version

AVISO Y REVISIÓN PÚBLICA TEMPRANOS DE UNA ACTIVIDAD PROPUESTA EN UN VALLE INUNDABLE DE 100 AÑOS O HUMEDAL
Ocho Condados impactados con una Declaración de Desastre

A: Todas las agencias interesadas, grupos e individuos

Se notifica que Oregon Housing and Community Services (OHCS) en cumplimiento con la Parte 58 determinó que la siguiente acción propuesta bajo el Programa de Asistencia de Rehabilitación y Reconstrucción a los Propietarios de Hogar (Homeowner Assistance Rehabilitation and Reconstruction Program) con número de subvención B-21-DZ-41-0001 (PL 117-43) ubica en un valle inundable de 100 años o humedal, y que Oregon Housing and Community Services (OHCS) identificará y evaluará alternativas prácticas a la ubicación de la acción en el valle inundable o humedal y los posibles impactos de la acción propuesta en el valle inundable o humedal, según establecen las Órdenes Ejecutivas 11988 y 11990, de acuerdo con los reglamentos de HUD establecidos en el 24 CFR 55.20 Subparte C - Procedimientos para hacer determinaciones sobre el manejo del valle inundable y la protección de humedales en los ocho condados de Oregon impactados con una declaración de desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) y que son elegibles y soliciten participación en los Programas de Ayuda en Bloque de Desarrollo Comunitario para Recuperación de Desastres (CDBG-DR por sus siglas en inglés) bajo el Título I de la Ley de Vivienda y Desarrollo Comunitario de 1974 (PL-93-383). El propósito del programa es para la rehabilitación y/o reconstrucción de viviendas unifamiliares. Este es un proyecto multianual (2023-2028) donde la OHCS estará llevando a cabo varias acciones individuales en viviendas unifamiliares. Las actividades de rehabilitación pueden incluir, entre otras, reparación de elementos estructurales tales como el techo, ventanas, puertas, paredes, plomería, electricidad, sistemas de ventilación, resistente a incendios y mitigación de pintura a base de plomo y asbestos, de ser necesarios. Las actividades de reconstrucción incluirán la demolición de la propiedad original que fue afectada por los incendios (si la estructura permanece), preparación del terreno, reconstrucción de una vivienda unifamiliar y la elevación, de ser necesario. El reemplazo de unidades de Vivienda prefabricada (MHU por sus siglas en inglés) pueden incluir la demolición de la unidad original en sitio (si la estructura permanece), acarreo de escombros y instalar una nueva en la localización original. Los proyectos propuestos estarán localizados en múltiples lugares a través de los ocho condados de Oregon impactados con una declaración de desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). La localización exacta de los proyectos propuestos se determinará en una fecha posterior.

Este aviso tiene tres propósitos principales. Primero, las personas que puedan verse afectadas por actividades en **valles inundables o humedales** y aquellos que tengan interés en la protección del ambiente natural deben recibir la oportunidad de expresar sus preocupaciones y proveer información sobre estas áreas. Los interesados en proveer comentarios están invitados a ofrecer o recomendar alternativas de ubicación fuera del **valle inundable o humedal**, métodos alternos para lograr el propósito del proyecto, y métodos para minimizar y mitigar impactos. Segundo, un programa adecuado de avisos públicos puede ser una herramienta importante de educación pública. La diseminación de información y solicitud de comentarios públicos sobre **valles inundables o humedales** puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y alteración de estas áreas especiales. Tercero, como materia de justicia, cuando el gobierno federal determina participar en acciones ubicadas en **valles inundables o humedales**, debe informárselo a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Comentarios por escrito deben ser recibidos por Oregon Housing and Community Services (OHCS) en o antes del 9 de enero de 2023. La OHCS favorece el envío de comentarios por correo electrónico a ReOregon@hcs.oregon.gov (incluir en el sujeto del correo: Early Floodplain/Wetland Notice Comments). Como método alterno, se pueden someter comentarios en papel a la OHCS a la siguiente dirección:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B
Salem, OR 97301

Fecha: 23 de diciembre de 2022

8-Step Decision Making Process

Attachment 3

Early Notice Letter to Interested Agencies

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

December 23, 2022

To: Interested Agencies

Re: Notice to Perform Construction Activities in a 100-year Floodplain and/or Wetland

This is to give notice that Oregon Housing and Community Services (OHCS) is conducting an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands, to determine the potential effect that its activity in the floodplain and wetland will have on the human environment for residents of the eight disaster declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) that are eligible and request participation in Programs of the Community Development Block Grant – Disaster Recovery (CDBG-DR) under Title I of the Housing and Community Development Act of 1974 (PL-93-383). A portion of the activities may be located in the 100-year floodplain or a wetland.

OHCS allocation of the CDBG-DR funds under grant B-21-DZ-41-0001 (PL 117-43) will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the **Homeowner Assistance Rehabilitation and Reconstruction Program** for the purpose of rehabilitating and/or reconstructing single-family homes. This is a multi-year project 2023-2028 where OHCS will be carrying out various individual actions on single family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date.

There are three primary purposes for this notice. First, to inform you of the actions of the program that will serve people who may be affected by activities in floodplains. Those agencies who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, the dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, when the government determines it will participate in actions taking place in floodplains, it must inform those agencies that have interest in the activities and the people who may be put at greater or continued risk.

The **Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland** is being published in both English and Spanish in the newspapers shown in the table below.

County	Newspaper	Early FPN/Wetland Published	Early FPN/Wetland Comment Period Ends
Linn	Albany Democrat-Herald	Friday, December 23, 2022	Monday, January 9, 2023
Lane	The Register-Guard	Friday, December 23, 2022	Monday, January 9, 2023
Douglas	The News Review	Friday, December 23, 2022	Monday, January 9, 2023
Marion	Statesman Journal	Wednesday, December 21, 2022	Friday, January 6, 2023
Jackson	Mail Tribune	Wednesday, December 28, 2022	Friday, January 13, 2023
Klamath	Herald and News	Saturday, December 24, 2022	Tuesday, January 10, 2023
Clackamas	Estacada News	Thursday, December 29, 2022	Monday, January 16, 2023
Lincoln	The News Guard	Tuesday, December 27, 2022	Thursday, January 12, 2023
Statewide	The Oregonian	Friday, December 23, 2022	Monday, January 9, 2023

Please provide any comments in written format to Oregon Housing and Community Services on or before January 16, 2023. OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov (include subject: Early Floodplain/Wetland Notice Comments). As an alternative, comments may be submitted on paper to the following address:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B
Salem, OR 97301

8-Step Decision Making Process

Attachment 4

Early Notices as published in Circulars

The Oregonian OREGONLIVE.COM
OREGONIAN MEDIA GROUP

The Oregonian

LEGAL AFFIDAVIT

AD#: 0010533620

State of Oregon,) ss
County of Multnomah)

Kimberly Langdon being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 12/23/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 28th day of December 2022

Notary Public

OFFICIAL SEAL
CARY LEE DAHLBERG
NOTARY PUBLIC - OREGON
COMMISSION NO. 1023797
MY COMMISSION EXPIRES APRIL 11, 2026

Early Notice and Public Review of a Proposed Activity In a 100-Year Floodplain/Wetland Eight Disaster-Declared Impacted Counties

To: All interested Agencies, Groups, and Individuals

This is to give notice that Oregon Housing and Community Services (OHCS) is conducting an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands, to determine the potential effect that its activity in the floodplain and wetland will have on the human environment for residents of the eight disaster declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) that are eligible and request participation in Programs of the Community Development Block Grant – Disaster Recovery (CDBG-DR) under Title I of the Housing and Community Development Act of 1974 (PL-93-383). A portion of the activities may be located in the 100-year floodplain or a wetland.

OHCS allocation of the CDBG-DR funds under grant B-21-DZ-41-0001 (PL 117-43) will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance Rehabilitation and Reconstruction Program for the purpose of rehabilitating and/or reconstructing single-family homes. This is a multi-year project 2023-2028 where OHCS will be carrying out various individual actions on single family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and /or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and /or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and /or wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the Oregon Housing and Community Services on or before January 9, 2023. Attention: The OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov (include subject: Early Floodplain/Wetland Notice Comments). As an alternative, comments may be submitted on paper to OHCS, to the following address:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B, Salem, OR 97301
Date: December 23, 2022

The Oregonian OREGONLIVE.COM
OREGONIAN MEDIA GROUP

The Oregonian
LEGAL AFFIDAVIT

AD#: 0010533631

State of Oregon,) ss
County of Multnomah)

Kimberly Langdon being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 12/23/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 28th day of December 2022

Notary Public

OFFICIAL SEAL
CARY LEE DAHLBERG
NOTARY PUBLIC - OREGON
COMMISSION NO. 1023797
MY COMMISSION EXPIRES APRIL 11, 2026

AVISO Y REVISIÓN PÚBLICA TEMPRANOS DE UNA ACTIVIDAD PROPUESTA EN UN VALLE INUNDABLE DE 100 AÑOS O HUMEDAL
Ocho Condados impactados con una Declaración de Desastre

A: Todas las agencias interesadas, grupos e individuos

Se notifica que Oregon Housing and Community Services (OHCS) en cumplimiento con la Parte 58 determinó que la siguiente acción propuesta bajo el Programa de Asistencia de Rehabilitación y Reconstrucción a los Propietarios de Hogar (Homeowner Assistance Rehabilitation and Reconstruction Program) con número de subvención B-21-DZ-41-0001 (PL 117-43) ubica en un valle inundable de 100 años o humedal, y que Oregon Housing and Community Services (OHCS) identificará y evaluará alternativas prácticas a la ubicación de la acción en el valle inundable o humedal y los posibles impactos de la acción propuesta en el valle inundable o humedal, según establecen las Órdenes Ejecutivas 11988 y 11990, de acuerdo con los reglamentos de HUD establecidos en el 24 CFR 55.20 Subparte C - Procedimientos para hacer determinaciones sobre el manejo del valle inundable y la protección de humedales en los ocho condados de Oregon impactados con una declaración de desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) y que son elegibles y soliciten participación en los Programas de Ayuda en Bloque de Desarrollo Comunitario para Recuperación de Desastres (CDBG-DR por sus siglas en inglés) bajo el Título I de la Ley de Vivienda y Desarrollo Comunitario de 1974 (PL-93-383). El propósito del programa es para la rehabilitación y/o reconstrucción de viviendas unifamiliares. Este es un proyecto multianual (2023-2028) donde la OHCS estará llevando a cabo varias acciones individuales en viviendas unifamiliares. Las actividades de rehabilitación pueden incluir, entre otras, reparación de elementos estructurales tales como el techo, ventanas, puertas, paredes, plomería, electricidad, sistemas de ventilación, resistente a incendios y mitigación de pintura a base de plomo y asbestos, de ser necesarios. Las actividades de reconstrucción incluirán la demolición de la propiedad original que fue afectada por los incendios (si la estructura permanece), preparación del terreno, reconstrucción de una vivienda unifamiliar y la elevación, de ser necesario. El reemplazo de unidades de Vivienda prefabricada (MHU por sus siglas en inglés) pueden incluir la demolición de la unidad original en sitio (si la estructura permanece), acarreo de escombros y instalar una nueva en la localización original. Los proyectos propuestos estarán localizados en múltiples lugares a través de los ocho condados de Oregon impactados con una declaración de desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). La localización exacta de los proyectos propuestos se determinará en una fecha posterior.

Este aviso tiene tres propósitos principales. Primero, las personas que puedan verse afectadas por actividades en valles inundables o humedales y aquellos que tengan interés en la protección del ambiente natural deben recibir la oportunidad de expresar sus preocupaciones y proveer información sobre estas áreas. Los interesados en proveer comentarios están invitados a ofrecer o recomendar alternativas de ubicación fuera del valle inundable o humedal, métodos alternos para lograr el propósito del proyecto, y métodos para minimizar y mitigar impactos. Segundo, un programa adecuado de avisos públicos puede ser una herramienta importante de educación pública. La diseminación de información y solicitud de comentarios públicos sobre valles inundables o humedales puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y alteración de estas áreas especiales. Tercero, como materia de justicia, cuando el gobierno federal determina participar en acciones ubicadas en valles inundables o humedales, debe informársele a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Comentarios por escrito deben ser recibidos por Oregon Housing and Community Services (OHCS) en o antes del 9 de enero de 2023. La OHCS favorece el envío de comentarios por correo electrónico a ReOregon@hcs.oregon.gov

(incluir en el sujeto del correo: Early Floodplain/Wetland Notice Comments). Como método alterno, se pueden someter comentarios en papel a la OHCS a la siguiente dirección:
Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B, Salem, OR 97301
Fecha: 23 de diciembre de 2022

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland Linn County

To: All interested Agencies, Groups, and Individuals

This is to give notice that Oregon Housing and Community Services (OHCS) is conducting an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands, to determine the potential effect that its activity in the floodplain and wetland will have on the human environment for residents of the 8 Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion) that are eligible and request participation in Programs of the Community Development Block Grant – Disaster Recovery (CDBG-DR) under Title I of the Housing and Community Development Act of 1974 (PL-93-383). A portion of the activities may be located in the 100-year floodplain or a wetland.

OHCS allocation of the CDBG-DR funds under grant B-21-DZ-41-0001 (PL 117-43) will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance Rehabilitation and Reconstruction Program for the purpose of rehabilitating and /or reconstructing single-family homes. This is a multi-year project 2023-2028 where OHCS will be carrying out various individual actions on single family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. The proposed project(s) will be located at multiple locations throughout Linn County. The exact location of site-specific projects will be determined at a later date.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and/or wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and/or wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and/or wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the Oregon Housing and Community Services on or before January 9, 2023. Attention: The OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov (include subject: Early Floodplain/Wetland Notice Comments). As an alternative, comments may be submitted on paper to OHCS, to the following address:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B
Salem, OR 97301

Date: December 23, 2022

#150487 PUBLISH: 12/23/2022

AVISO Y REVISIÓN PÚBLICA TEMPRANOS DE UNA ACTIVIDAD PROPUESTA EN UN VALLE INUNDABLE DE 100 AÑOS O HUMEDAL
Condado Linn (Linn County)

A: Todas las agencias interesadas, grupos e individuos

Se notifica que Oregon Housing and Community Services (OHCS) en cumplimiento con la Parte 58 determinó que la siguiente acción propuesta bajo el Programa de Asistencia de Rehabilitación y Reconstrucción a los Propietarios de Hogar (Homeowner Assistance Rehabilitation and Reconstruction Program) con número de subvención B-21-DZ-41-0001 (PL 117-43) ubica en un valle inundable de 100 años o humedal, y que Oregon Housing and Community Services (OHCS) identificará y evaluará alternativas prácticas a la ubicación de la acción en el valle inundable o humedal y los posibles impactos de la acción propuesta en el valle inundable o humedal, según establecen las Órdenes Ejecutivas 11988 y 11990, de acuerdo con los reglamentos de HUD establecidos en el 24 CFR 55.20 Subparte C - Procedimientos para hacer determinaciones sobre el manejo del valle inundable y la protección de humedales. El propósito del programa es para la rehabilitación y/o reconstrucción de viviendas unifamiliares. Este es un proyecto multianual (2023-2028) donde la OHCS estará llevando a cabo varias acciones individuales en viviendas unifamiliares. Las actividades de rehabilitación pueden incluir, entre otras, reparación de elementos estructurales tales como el techo, ventanas, puertas, paredes, plomería, electricidad, sistemas de ventilación, resistente a incendios y mitigación de pintura a base de plomo y asbestos, de ser necesarios. Las actividades de reconstrucción incluirán la demolición de la propiedad original que fue afectada por los incendios (si la estructura permanece), preparación del terreno, reconstrucción de una vivienda unifamiliar y la elevación, de ser necesario. El reemplazo de unidades de Vivienda prefabricada (MHU por sus siglas en inglés) pueden incluir la demolición de la unidad original en sitio (si la estructura permanece), acarreo de escombros y instalar una nueva en la localización original. Los proyectos propuestos estarán localizados a través del Condado Linn (Linn County). La localización exacta de los proyectos propuestos se determinará en una fecha posterior.

Este aviso tiene tres propósitos principales. Primero, las personas que puedan verse afectadas por actividades en valles inundables o humedales y aquellos que tengan interés en la protección del ambiente natural deben recibir la oportunidad de expresar sus preocupaciones y proveer información sobre estas áreas. Los interesados en proveer comentarios están invitados a ofrecer o recomendar alternativas de ubicación fuera del valle inundable o humedal, métodos alternos para lograr el propósito del proyecto, y métodos para minimizar y mitigar impactos. Segundo, un programa adecuado de avisos públicos puede ser una herramienta importante de educación pública. La diseminación de información y solicitud de comentarios públicos sobre valles inundables o humedales puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y alteración de estas áreas especiales. Tercero, como materia de justicia, cuando el gobierno federal determina participar en acciones ubicadas en valles inundables o humedales, debe informárselo a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Comentarios por escrito deben ser recibidos por Oregon Housing and Community Services (OHCS) en o antes del 9 de enero de 2023. La OHCS favorece el envío de comentarios por correo electrónico a ReOregon@hcs.oregon.gov (incluir en el sujeto del correo: Early Floodplain /Wetland Notice Comments). Como método alterno, se pueden someter comentarios en papel a la OHCS a la siguiente dirección:

Disaster Recovery and Resilience
Oregon Housing and & Community Services
725 Summer St., NE, Suite B
Salem, OR 97301

Fecha: 23 de diciembre de 2022

#150488 PUBLISH: 12/23/2022

8-Step Decision Making Process

Attachment 5

Early Notice Comments

There were no comments to the Early Floodplain Notice.

8-Step Decision Making Process

Attachment 6

Final Floodplain Notice – English Version

Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland
Oregon Eight Disaster-Declared Impacted Counties

October 15, 2023
Oregon Housing and Community Services (OHCS)
Disaster Recovery and Resilience
725 Summer St., NE, Suite B
Salem, OR 97301

These notices shall satisfy ***three*** separate but related procedural requirements for activities to be undertaken by OHCS.

REQUEST FOR RELEASE OF FUNDS (RROF):
On or about November 4, 2023 Oregon Housing and Community Services (OHCS) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant -Disaster Recovery (CDBG-DR) funds under Public Law 117-43 of the Supplemental Appropriations for Disaster Relief Act, 2022, as amended, to undertake a project known as Oregon **Homeowner Assistance and Reconstruction Program** for the purpose of providing grants to predominantly very low, low, and moderate income homeowners whose primary residence was damaged or destroyed by the 2020 wildfires that occurred in the most impacted and distressed areas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). Oregon was allocated $422,286, 000 under DR-4562. OHCS will request the release of **$198,551,591** of the total funds to be used for the Homeowner Assistance and Reconstruction Program in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

FINDING OF NO SIGNIFICANT IMPACT (FONSI):
OHCS has determined that the Homeowner Assistance and Reconstruction Program will have no significant impact on the human environment. To address environmental impacts, the Environmental Review Record (ERR) includes mitigation measures and conditions. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in each County's Environmental Review Record (ERR) on file at Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301 and may be examined or copied weekdays **9:00 AM to 5:00 PM**. In addition, the ERRs can be found at https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN/WETLAND:
This is to give notice that OHCS has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands. The activity is funded under the Oregon Homeowner Assistance and Reconstruction Program under HUD Grant: B-21-DZ-41-0001 (PL 117-43). The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date. OHCS allocation of the CDBG-DR funds will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance and Reconstruction Program for the purpose of rehabilitating and/or reconstructing single-family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities

will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. Since the program area is County-wide, some selected sites may be in the 100-year floodplain and/or adjacent to a wetland. As noted in the OHCS Action Plan, based on FEMA Individual Assistance data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. However, it is likely that there are more than 10 impacted properties in the SFHA. No work will be allowed in existing wetlands. However, properties may be wetland adjacent. The estimated number of homes to be included in the program and approximate floodplain acres in each impacted County are listed below.

Impacted County	Approximate Destroyed or Damaged Single-Family Homes	Approximate Total County (Acres)	Effective FIRM 100-Year Floodplain (Acres)	Preliminary FIRM 100-Year Floodplain (Acres)	Combined FIRM and PFIRM Total 100-Year Floodplain (Acres)	Approximate County Acres in 100-Year Floodplain (%)
Clackamas	62	1,206,348	23,145.27		23,145.27	**1.92%**
Douglas	138	3,285,411	69,960.36		69,960.36	**2.13%**
Jackson	2,180	1,792,789	23,721.58		23,721.58	**1.32%**
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	**0.15%**
Lane	615	3,023,558	142,499.90	18,792.89	161,292.79	**5.33%**
Lincoln	288	763,111	37,935.92		37,935.92	**4.97%**
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	**7.67%**
Marion	633	762,636	54,591.56		54,591.56	**7.16%**

Four alternatives were considered: Alternative 1 (Selected Alternative): Perform Home Rehabilitation/Reconstruction and MHU Replacement in the 100-year floodplain, but not in the floodway. Alternative 2: All Single-family homes selected for the Program must be outside the 100-year floodplain. Alternative 3: Relocating homes outside the 100-year floodplain, and Alternative 4: No-Action Alternative. It is OHCS determination that Alternative 1 is the only viable alternative. This is due to: 1) the need to provide relief from the effects of the 2020 wildfires; 2) the desire to not displace residents who prefer to remain at their current location; and 3) the expected ability to mitigate and minimize impacts on human health, public property, and floodplain/wetland values since all rehabilitation and reconstruction work will involve previous existing homes on existing lots in established neighborhoods.

All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). Construction adjacent to wetlands will require implementation of best management practices (BMPs) to prevent impacts to water quality and wetlands ecosystems. For work adjacent to wetlands, construction teams will install silt fencing and/or hay bales between the work site and wetland area to prevent impacts from soil erosion and stormwater runoff into wetland areas.

OHCS has reevaluated the alternatives to building in the floodplain and adjacent to wetlands and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and 11990, are available for public inspection, review and

copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains/wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS:
Any individual, group, or agency may submit written comments on the ERR to Oregon Housing and Community Services (OHCS). OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov All comments received by November 3, 2023, will be considered by OHCS prior to authorizing submission of a request for release of funds from HUD. **Comments should specify which ReOregon Notice they are addressing** (RROF, FONSI, or Final Floodplain Notice). As an alternative, comments may be submitted on paper to OHCS, to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

ENVIRONMENTAL CERTIFICATION:
OHCS certifies to HUD that Ryan Flynn in his capacity as Director, Disaster Recovery & Resilience at OHCS and Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the OHCS to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS:
HUD will accept objections to its release of fund and OHCS's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of OHCS; (b) OHCS has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Attention: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, or via e-mail at Portland_RROF@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Ryan Flynn, Director
Disaster Recovery & Resilience
Oregon Housing and Community Services
October 15, 2023

8- Step Decision Making Process

Attachment 7

Final Floodplain Notice – Spanish Version

Aviso de Hallazgo de Impacto Significativo, Aviso de Intención de Solicitar la Liberación de Fondos, y Aviso Final y Revisión Pública de una Actividad Propuesta en una Llanura de Inundación/Humedal de 100 años
Ocho Condados de Oregón Declarados Afectados por Desastre

15 de octubre de 2023
Agencia de Vivienda y Servicios Comunitarios Oregón (OHCS, por sus siglas en inglés)
Recuperación y Resiliencia ante Desastres
725 Summer St., NE, Suite B
Salem, OR 97301

Estos avisos deberán satisfacer ***tres*** requisitos de procedimiento separados pero relacionados para las actividades a llevar a cabo por la OHCS.

SOLICITUD DE LIBERACIÓN DE FONDOS (RROF, por sus siglas en inglés):
En o alrededor del 4 de noviembre de 2023, la Agencia de Vivienda y Servicios Comunitarios de Oregón (OHCS, por sus siglas en inglés) presentará una solicitud al Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés) para la liberación de fondos de la Subvención en Bloque para el Desarrollo Comunitario - Recuperación de Desastres (CDBG-DR, por sus siglas en inglés) bajo la Ley Pública 117-43 de la Ley de Asignaciones Suplementarias para el Alivio de Desastres de 2022, según enmendada, para llevar a cabo un proyecto conocido como **Programa de Asistencia y Reconstrucción para Propietarios de Viviendas** de Oregón con el fin de proveer subvenciones a propietarios de viviendas, predominantemente de ingresos muy bajos, bajos y moderados, cuya residencia principal fue afectada o destruida por los incendios forestales de 2020 que ocurrieron en las áreas más desfavorecidas y afectadas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). Oregón tuvo una adjudicación de $422,286,000 bajo DR-4562. La OHCS solicitará la liberación de **$198,551,591** del total de fondos para ser utilizados en el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas en los condados de Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion.

HALLAZGO DE NO IMPACTO SIGNIFICATIVO (FONSI, por sus siglas en inglés):
La OHCS ha determinado que el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas no tendrá un impacto significativo en el medio ambiente humano. Para abordar los impactos ambientales, el Registro de Revisión Ambiental (ERR, por sus siglas en inglés) incluye medidas y condiciones de mitigación. Por lo tanto, no se requiere una Declaración de Impacto Ambiental bajo la Ley de Política Ambiental Nacional de 1969 (NEPA, por sus siglas en inglés). Información adicional del proyecto se encuentra en el Registro de Revisión Ambiental (ERR) de cada condado en los archivos de la OHCS localizada en 725 Summer St., NE, Suite B, Salem, OR 97301. El ERR puede examinarse o copiarse de lunes a viernes **de 9:00 a.m. a 5:00 p.m.** Por otro lado, los ERR se encuentran disponibles en https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

AVISO FINAL Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN UNA LLANURA ALUVIAL/HUMEDAL DE 100 AÑOS:
La presente sirve para dar aviso de que la OHCS ha llevado a cabo una evaluación según lo requerido por la Orden Ejecutiva 11988, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C Procedimientos para Tomar Determinaciones sobre el Manejo de Llanuras Aluviales, y la Orden Ejecutiva 11990-Protección de Humedales. La actividad está financiada por el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas de Oregón bajo la Subvención de HUD: B-21-DZ-41-0001 (PL 117-43). Los proyectos propuestos se ubicarán en múltiples ubicaciones a lo largo de los ocho

condados de Oregón declarados como desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). La ubicación exacta de los proyectos específicos del sitio se determinará en una fecha posterior. La asignación de la OHCS de los fondos CDBG-DR se utilizará para proporcionar viviendas decentes, seguras e higiénicas en las áreas más afectadas por los incendios forestales de 2020 a través del Programa de Asistencia y Reconstrucción para Propietarios de Viviendas con el propósito de rehabilitar y/o reconstruir viviendas unifamiliares. Las actividades de rehabilitación pueden incluir: reparación o reemplazo de elementos estructurales como techo, ventanas, puertas, placas de yeso, plomería, accesorios eléctricos, HVAC, endurecimiento contra incendios, y eliminación de pintura a base de plomo de asbestos de ser necesario. Las actividades de reconstrucción incluirán la demolición de la unidad original dañada por el fuego (si queda la estructura), la preparación del sitio, la reconstrucción de la vivienda unifamiliar y la elevación de la estructura si es necesario. El reemplazo de unidades de vivienda prefabricadas (MHU, por sus siglas en inglés) incluirá la demolición de la MHU original en el sitio (si la estructura permanece), el recogido de escombros y la colocación de una nueva MHU en la misma ubicación de la anterior. Dado que el área del programa abarca todo el condado, algunos sitios seleccionados pueden estar en la llanura aluvial de 100 años y/o adyacentes a un humedal. Como se señala en el Plan de Acción de la OHCS, de acuerdo con los datos de Asistencia Individual de FEMA, se estima que menos de 10 propiedades destruidas por los incendios forestales estaban ubicadas en el Área Especial de Riesgo de Inundación (SFHA, por sus siglas en inglés), o llanura de inundación de 100 años. No obstante, es probable que haya más de 10 propiedades afectadas en la SFHA. No se permitirá ningún trabajo en los humedales existentes. Sin embargo, las propiedades pueden ser adyacentes a humedales. A continuación, se presenta de manera tabulada el número estimado de viviendas que se incluirán en el programa y los acres aproximados de llanuras aluviales en cada condado afectado.

Condado afectado	**Aproximado de viviendas unifamiliares destruidas o dañadas**	**Total aproximado del Condado (acres)**	**Planicie aluvial efectiva de 100 años de FIRM (acres)**	**Planicie aluvial preliminar de 100 años de FIRM (acres)**	**Llanura aluvial de 100 años combinada total de FIRM y PFIRM (acres)**	**Acres aproximados del condado en llanuras aluviales de 100 años (%)**
Clackamas	62	1,206,348	23,145.27		23,145.27	**1.92%**
Douglas	138	3,285,411	69,960.36		69,960.36	**2.13%**
Jackson	2,180	1,792,789	23,721.58		23,721.58	**1.32%**
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	**0.15%**
Carril	615	3,023,558	142,499.90	18,792.89	161,292.79	**5.33%**
Lincoln	288	763,111	37,935.92		37,935.92	**4.97%**
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	**7.67%**
Marion	633	762,636	54,591.56		54,591.56	**7.16%**

Se consideraron cuatro alternativas: Alternativa 1 (Alternativa Seleccionada): Realizar la Rehabilitación/Reconstrucción de la Vivienda y el Reemplazo de la MHU en la llanura de inundación de 100 años, pero no en el cauce de inundación. Alternativa 2: Todas las viviendas unifamiliares seleccionadas para el Programa deben estar fuera de la llanura de inundación de 100 años. Alternativa 3: Reubicar las viviendas fuera de la llanura aluvial de 100 años, y Alternativa 4: Alternativa de no acción. La OHCS determina que la Alternativa 1 es la única alternativa viable. Esto se debe a: 1) la necesidad de brindar alivio de los efectos de los incendios forestales de 2020; 2) el deseo de no desplazar a los residentes que prefieren permanecer en su ubicación actual; y 3) la capacidad esperada de mitigar y minimizar los impactos en la salud humana, la propiedad pública y los valores de las llanuras aluviales/humedales, ya que todo el trabajo de rehabilitación y reconstrucción involucrará viviendas existentes, en lotes existentes, en vecindarios establecidos.

Todas las estructuras, definidas en 44 CFR 59.1, diseñadas principalmente para uso residencial, y ubicadas en la llanura de inundación de 1% de probabilidad anual (o 100 años), que reciben asistencia para la reconstrucción, rehabilitación de daños sustanciales o rehabilitación que resulte en mejoras sustanciales, como se define en 24 CFR 55.2 (b) (10), deben elevarse con el piso más bajo, incluido el sótano, al menos 2 pies por encima del nivel base de inundación establecido para la llanura de inundación con probabilidad anual del 1%. La construcción adyacente a los humedales requerirá la implementación de mejores prácticas de manejo (BMP, por sus siglas en inglés) para prevenir impactos en la calidad del agua y los ecosistemas de los humedales. Para el trabajo adyacente a los humedales, los equipos de construcción instalarán cerca de malla sintética y/o pacas de heno entre el sitio de trabajo y el área del humedal para evitar los impactos de las escorrentías de aguas pluviales y, de la erosión y el transporte del suelo en las áreas de humedales.

La OHCS, luego de reevaluar las alternativas a la construcción en la llanura aluvial y adyacente a los humedales, ha determinado que no tiene una alternativa viable. Los archivos ambientales que documentan el cumplimiento de los pasos 3 al 6 de la Orden Ejecutiva 11988 y 11990, se encuentran disponibles, sujeto a solicitud, para inspección pública, revisión y copia en los horarios y lugares delineados en el último párrafo de este aviso para recibir comentarios.

Este aviso tiene tres propósitos principales. En primer lugar, dar oportunidad a las personas que puedan verse afectadas por las actividades en las llanuras aluviales o los humedales y las que tengan interés en la protección del medio ambiente natural de expresar sus preocupaciones y proveer información sobre estas zonas. En segundo lugar, un programa adecuado de aviso público puede ser una importante herramienta de educación pública. La difusión de información y la solicitud de comentarios públicos sobre las llanuras aluviales/humedales pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como parte de las políticas de justicia, cuando el gobierno federal determina que participará en acciones que se lleven a cabo en llanuras aluviales/humedales, debe informar a aquellos que pueden estar en mayor riesgo o en riesgo continuo.

COMENTARIOS PÚBLICOS:
Cualquier individuo, grupo o agencia puede enviar comentarios por escrito sobre el ERR a la Agencia de Vivienda y Servicios Comunitarios. La OHCS exhorta la presentación electrónica de comentarios a través de ReOregon@hcs.oregon.gov. Todos los comentarios recibidos antes del 3 de noviembre de 2023 serán considerados por la OHCS antes de autorizar la presentación de una solicitud de liberación de fondos de HUD. **Los comentarios deben especificar a qué Aviso de ReOregon se están dirigiendo** (RROF, FONSI o Aviso Final de Llanuras Aluviales). Como alternativa, los comentarios pueden enviarse por correo postal a la OHCS la siguiente dirección: Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

CERTIFICACIÓN AMBIENTAL:
La OHCS certifica a HUD que Ryan Flynn, en su capacidad de Director de Recuperación de Desastres y Resiliencia en OHCS y Oficial Certificador, consiente aceptar la jurisdicción de los Tribunales Federales si se presenta una acción para hacer cumplir las responsabilidades en relación con el proceso de revisión ambiental y que estas responsabilidades han sido satisfechas. La aprobación de la certificación por parte de HUD satisface sus responsabilidades bajo NEPA y leyes y autoridades relacionadas y, permite que la OHCS utilice los fondos del Programa.

OBJECIONES A LA LIBERACIÓN DE FONDOS:
HUD aceptará objeciones a su liberación de fondos y a la certificación de OHCS por un período de quince días después de la fecha de presentación anticipada o de la fecha de recibo de la solicitud (lo que ocurra

más tarde) solo si se basan en una de las siguientes bases: (a) la certificación no fue ejecutada por el Oficial Certificador de la OHCS; (b) La OHCS ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR parte 58; (c) el beneficiario de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, incurrido en costos o realizado actividades no autorizadas por 24 CFR Parte 58 antes de la aprobación de una liberación de fondos por parte de HUD; o (d) otra agencia federal que actúe de conformidad con 40 CFR Parte 1504 ha presentado una conclusión por escrito de que el proyecto es insatisfactorio desde el punto de vista de la calidad ambiental. Las objeciones deben prepararse y enviarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58, Sec. 58.76) y deben dirigirse a HUD Atención: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, o por correo electrónico a Portland_RROF@hud.gov. Los posibles objetores deben comunicarse con HUD para verificar el último día real del período de objeción.

Ryan Flynn, Director
Recuperación ante Desastres y Resiliencia
Vivienda y Servicios Comunitarios de Oregón
15 de octubre de 2023

8 - Step Decision Making Process

Attachment 8

Final Notice Letter to Interested Agencies

From:	RussoIII, Nick
To:	Portland_RROF@hud.gov; Mark.Mitchell@hud.gov; brian.sturdivant@hud.gov
Cc:	CATTO Chelsea HCS; RussoIII, Nick
Subject:	Oregon OHCS Combined Final Notice
Date:	Monday, October 16, 2023 10:54:00 AM
Attachments:	Oregon Combined Final Floodplain Notice-Statewide_Final.pdf

Mr. Mitchell,
The attached notice is being published in various statewide and local papers this week. Please contact me or Chelsea Catto with OHCS if you have any questions.

Greetings, on behalf of Oregon Housing and Community Services (OHCS), please find the attached Combined Final Notice.
This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by OHCS, which include:

- Request for Release of Funds,
- Finding of No Significant Impact, and
- Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain / Wetland.

The notice is being published in statewide and local newspapers regarding the eight county Tiered Environmental Reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery Programs.
Detailed information on how to respond is included in the notice. OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov All comments received by November 3, 2023, will be considered by OHCS prior to authorizing submission of a request for release of funds from HUD. **Comments should specify which ReOregon Notice they are addressing** (RROF, FONSI, or Final Floodplain
Notice). As an alternative, comments may be submitted on paper to OHCS, to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

Thank you for your participation in this process.

Thank you,

Nick Russo III, ENV-SP | Director - Post Disaster Environmental Services | Nick.Russo3@tetratech.com

Tetra Tech | *Leading with Science*® | Tetra Tech Disaster Recovery (TDR)

On behalf of:

Disaster Recovery and Resilience

Oregon Housing and & Community Services

725 Summer St., NE, Suite B

Salem, OR 97301

From:	RussoIII, Nick
To:	RussoIII, Nick; ReOregon@hcs.oregon.gov
Cc:	CATTO Chelsea HCS
Bcc:	RussoIII, Nick; susan_rosebrough@nps.gov; Laurel.HILLMANN@oprd.oregon.gov; robert.brunoe@ctwsbnr.org; Jeffrey_Dillon@fws.gov; cespn-regulatory-info@usace.army.mil; William.D.Abadie@usace.army.mil; dpigsley@msn.com; Lisa.SUMPTION@oprd.oregon.gov; ron.alvarado@usda.gov; Rosalie.delrosario@noaa.gov; PWDirector@co.marion.or.us; aboles@co.linn.or.us; clarksp@jacksoncounty.org; SteveDietrich@lrapa.org; Mirzakhalili.Ali@deq.state.or.us; zoninginfo@clackamas.us; ckrossman@ctclusi.org; KassandraRippee@coquilletribe.org; jjohnson@cowcreek.com; mailto:patty.snow@dlcd.oregon.gov; jmshaklee@co.douglas.or.us; chu.rebecca@epa.gov; mark.eberlein@fema.gov; thpo@grandronde.org; clarksp@jacksoncounty.org; enobel@klamathcounty.org; amber.bell@lanecountyor.gov; ohusing@co.lincoln.or.us; Zachary_Tiemann@fws.gov; perry.chocktoot@klamathtribes.com; Brad Rawls - NOAA Affiliate
Subject:	Oregon OHCS Combined Final Notice
Date:	Monday, October 16, 2023 10:42:00 AM
Attachments:	Oregon Combined Final Floodplain Notice-Statewide_Final.pdf

Greetings, on behalf of Oregon Housing and Community Services (OHCS), please find the attached Combined Final Notice.
This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by OHCS, which include:

- Request for Release of Funds,
- Finding of No Significant Impact, and
- Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain / Wetland.

The notice is being published in statewide and local newspapers regarding the eight county Tiered Environmental Reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery Programs.
Detailed information on how to respond is included in the notice. OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov All comments received by November 3, 2023, will be considered by OHCS prior to authorizing submission of a request for release of funds from HUD. **Comments should specify which ReOregon Notice they are addressing** (RROF, FONSI, or Final Floodplain
Notice). As an alternative, comments may be submitted on paper to OHCS, to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

Thank you for your participation in this process.

Thank you,

Nick Russo III, ENV-SP | Director - Post Disaster Environmental Services | Nick.Russo3@tetratech.com

Tetra Tech | *Leading with Science*® | Tetra Tech Disaster Recovery (TDR)

On behalf of:

Disaster Recovery and Resilience

Oregon Housing and & Community Services

725 Summer St., NE, Suite B

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

October 18, 2023

Rebecca Chu
Manager, Policy and Environmental Review Branch
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

Re: ReOregon Combined Final Floodplain, FONSI, & NOI-RROF Notice

Dear Mrs. Chu,

This letter is to give notice that the Oregon Housing and Community Services (OHCS) has published a Combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland for the Oregon Eight Disaster-Declared Impacted Counties. These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by OHCS regarding the 2022 Community Development Block Grant-DR – ReOregon Homeowner Assistance and Reconstruction Program.

Please see the attached notice which is being published in several newspapers statewide. As noted in the publication, written comments must be received by OHCS on or before November 3, 2023. Comments can be emailed to ReOregon@hcs.oregon.gov or mailed to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301. Comments should specify which ReOregon Notice they are addressing (RROF, FONSI, or Final Floodplain Notice).

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires as quickly as possible. Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Nick Russo, Tetra Tech at Nick.Russo3@tetratech.com.

This asset must be properly classified Level 1, Level 2, Level 3 or Level 4.

Sincerely,

Ryan Flynn, Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

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725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

October 18, 2023

Tennille Smith Parker, Director
U.S. Dep. of Housing and Urban Development
Disaster Recovery and Special Issues Division
451 7th Street SW, Room 7272 Washington, DC 20410

Re: ReOregon Combined Final Floodplain, FONSI, & NOI-RROF Notice

Dear Mrs. Parker,

This letter is to give notice that the Oregon Housing and Community Services (OHCS) has published a Combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland for the Oregon Eight Disaster-Declared Impacted Counties. These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by OHCS regarding the 2022 Community Development Block Grant-DR – ReOregon Homeowner Assistance and Reconstruction Program.

Please see the attached notice which is being published in several newspapers statewide. As noted in the publication, written comments must be received by OHCS on or before November 3, 2023. Comments can be emailed to ReOregon@hcs.oregon.gov or mailed to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301. Comments should specify which ReOregon Notice they are addressing (RROF, FONSI, or Final Floodplain Notice).

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Sincerely,

Ryan Flynn, Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

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503-986-2000 | www.oregon.gov/OHCS

October 18, 2023

Mark Mitchell
U.S. Department of Housing and Urban Development
Community Planning and Development Director
1220 SW 3rd Ave #400
Portland, OR 97204

Re: ReOregon Combined Final Floodplain, FONSI, & NOI-RROF Notice

Dear Mr. Mitchell,

This letter is to give notice that the Oregon Housing and Community Services (OHCS) has published a Combined Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland for the Oregon Eight Disaster-Declared Impacted Counties. These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by OHCS regarding the 2022 Community Development Block Grant-DR – ReOregon Homeowner Assistance and Reconstruction Program.

Please see the attached notice which is being published in several newspapers statewide. As noted in the publication, written comments must be received by OHCS on or before November 3, 2023. Comments can be emailed to ReOregon@hcs.oregon.gov or mailed to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301. Comments should specify which ReOregon Notice they are addressing (RROF, FONSI, or Final Floodplain Notice).

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires as quickly as possible. Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Nick Russo, Tetra Tech at Nick.Russo3@tetratech.com.

Sincerely,

Ryan Flynn, Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

EQUAL HOUSING OPPORTUNITY

8- Step Decision Making Process

Attachment 9

Final Floodplain Notice Affidavit of Publication

The Oregonian OREGONLIVE.COM
OREGONIAN MEDIA GROUP

The Oregonian
LEGAL AFFIDAVIT

AD#: 0010767002

State of Oregon,) ss
County of Multnomah)
Bradley Dion being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):
The Oregonian 10/18/2023

Principal Clerk of the Publisher

OFFICIAL SEAL
CARY LEE DAHLBERG
NOTARY PUBLIC - OREGON
COMMISSION NO. 1023797
MY COMMISSION EXPIRES APRIL 11, 2026

Sworn to and subscribed before me this 18th day of October 2023

Notary Public

Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland
Oregon Eight Disaster-Declared Impacted Counties

October 15, 2023
Oregon Housing and Community Services (OHCS)
Disaster Recovery and Resilience
725 Summer St., NE, Suite B
Salem, OR 97301

These notices shall satisfy ***three*** separate but related procedural requirements for activities to be undertaken by OHCS.

REQUEST FOR RELEASE OF FUNDS (RROF):
On or about November 4, 2023 Oregon Housing and Community Services (OHCS) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant -Disaster Recovery (CDBG-DR) funds under Public Law 117-43 of the Supplemental Appropriations for Disaster Relief Act, 2022, as amended, to undertake a project known as Oregon **Homeowner Assistance and Reconstruction Program** for the purpose of providing grants to predominantly very low, low, and moderate income homeowners whose primary residence was damaged or destroyed by the 2020 wildfires that occurred in the most impacted and distressed areas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). Oregon was allocated $422,286, 000 under DR-4562. OHCS will request the release of **$198,551,591** of the total funds to be used for the Homeowner Assistance and Reconstruction Program in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

FINDING OF NO SIGNIFICANT IMPACT (FONSI):
OHCS has determined that the Homeowner Assistance and Reconstruction Program will have no significant impact on the human environment. To address environmental impacts, the Environmental Review Record (ERR) includes mitigation measures and conditions. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in each County's Environmental Review Record (ERR) on file at Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301 and may be examined or copied weekdays **9:00 AM to 5:00 PM**. In addition, the ERRs can be found at https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN/WETLAND:
This is to give notice that OHCS has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands. The activity is funded under the Oregon Homeowner Assistance and Reconstruction Program under HUD Grant: B-21-DZ-41-0001 (PL 117-43). The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date. OHCS allocation of the CDBG-DR funds will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance and Reconstruction Program for the purpose of rehabilitating and/or reconstructing single-family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. Since the program area is County-wide, some selected sites may be in the 100-year floodplain and/or adjacent to a wetland. As noted in the OHCS Action Plan, based on FEMA Individual Assistance data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood

Hazard Area (SFHA), or 100-year floodplain. However, it is likely that there are more than 10 impacted properties in the SFHA. No work will be allowed in existing wetlands. However, properties may be wetland adjacent. The estimated number of homes to be included in the program and approximate floodplain acres in each impacted County are listed below.

Impacted County	Approximate Destroyed or Damaged Single-Family Homes	Approximate Total County (Acres)	Effective FIRM 100-Year Floodplain (Acres)	Preliminary FIRM 100-Year Floodplain (Acres)	Combined FIRM and PFIRM Total 100-Year Floodplain (Acres)	Approximate County Acres in 100-Year Floodplain (%)
Clackamas	62	1,206,348	23,145.27		23,145.27	1.92%
Douglas	138	3,285,411	69,960.36		69,960.36	2.13%
Jackson	2,180	1,792,789	23,721.58		23,721.58	1.32%
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	0.15%
Lane	615	3,023,558	142,499.90	18,792.89	161,292.79	5.33%
Lincoln	288	763,111	37,935.92		37,935.92	4.97%
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	7.67%
Marion	633	762,636	54,591.56		54,591.56	7.16%

Four alternatives were considered: Alternative 1 (Selected Alternative): Perform Home Rehabilitation/Reconstruction and MHU Replacement in the 100-year floodplain, but not in the floodway. Alternative 2: All Single-family homes selected for the Program must be outside the 100-year floodplain. Alternative 3: Relocating homes outside the 100-year floodplain, and Alternative 4: No-Action Alternative. It is OHCS determination that Alternative 1 is the only viable alternative. This is due to: 1) the need to provide relief from the effects of the 2020 wildfires; 2) the desire to not displace residents who prefer to remain at their current location; and 3) the expected ability to mitigate and minimize impacts on human health, public property, and floodplain/wetland values since all rehabilitation and reconstruction work will involve previous existing homes on existing lots in established neighborhoods.

All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). Construction adjacent to wetlands will require implementation of best management practices (BMPs) to prevent impacts to water quality and wetlands ecosystems. For work adjacent to wetlands, construction teams will install silt fencing and/or hay bales between the work site and wetland area to prevent impacts from soil erosion and stormwater runoff into wetland areas.

OHCS has reevaluated the alternatives to building in the floodplain and adjacent to wetlands and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains/wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS:
Any individual, group, or agency may submit written comments on the ERR to Oregon Housing and Community Services (OHCS). OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov All comments received by November 3, 2023, will be considered by OHCS prior to authorizing submission of a request for release of funds from HUD. **Comments should specify which ReOregon Notice they are addressing** (RROF, FONSI, or Final Floodplain Notice). As an alternative, comments may be submitted on paper to OHCS, to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

ENVIRONMENTAL CERTIFICATION:
OHCS certifies to HUD that Ryan Flynn in his capacity as Director, Disaster Recovery & Resilience at OHCS and Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the OHCS to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS:
HUD will accept objections to its release of fund and OHCS's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of OHCS; (b) OHCS has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Attention: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, or via e-mail at Portland_RROF@

hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Ryan Flynn, Director
Disaster Recovery & Resilience
Oregon Housing and Community Services
October 15, 2023

O10767002-01

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OREGONIAN MEDIA GROUP

The Oregonian
LEGAL AFFIDAVIT

AD#: 0010767003

State of Oregon,) ss
County of Multnomah)

Bradley Dion being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 10/18/2023

Principal Clerk of the Publisher

OFFICIAL SEAL
CARY LEE DAHLBERG
NOTARY PUBLIC - OREGON
COMMISSION NO. 1023797
MY COMMISSION EXPIRES APRIL 11, 2026

Sworn to and subscribed before me this 18th day of October 2023

Notary Public

Aviso de Hallazgo de Impacto Significativo, Aviso de Intención de Solicitar la Liberación de Fondos, y Aviso Final y Revisión Pública de una Actividad Propuesta en una Llanura de Inundación/Humedal de 100 años Ocho Condados de Oregón Declarados Afectados por Desastre

15 de octubre de 2023
Agencia de Vivienda y Servicios Comunitarios Oregón (OHCS, por sus siglas en inglés)
Recuperación y Resiliencia ante Desastres
725 Summer St., NE, Suite B
Salem, OR 97301

Estos avisos deberán satisfacer ***tres*** requisitos de procedimiento separados pero relacionados para las actividades a llevar a cabo por la OHCS.

SOLICITUD DE LIBERACIÓN DE FONDOS (RROF, por sus siglas en inglés):
En o alrededor del 4 de noviembre de 2023, la Agencia de Vivienda y Servicios Comunitarios de Oregón (OHCS, por sus siglas en inglés) presentará una solicitud al Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés) para la liberación de fondos de la Subvención en Bloque para el Desarrollo Comunitario - Recuperación de Desastres (CDBG-DR, por sus siglas en inglés) bajo la Ley Pública 117-43 de la Ley de Asignaciones Suplementarias para el Alivio de Desastres de 2022, según enmendada, para llevar a cabo un proyecto conocido como **Programa de Asistencia y Reconstrucción para Propietarios de Viviendas** de Oregón con el fin de proveer subvenciones a propietarios de viviendas, predominantemente de ingresos muy bajos, bajos y moderados, cuya residencia principal fue afectada o destruida por los incendios forestales de 2020 que ocurrieron en las áreas más desfavorecidas y afectadas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). Oregón tuvo una adjudicación de $422,286,000 bajo DR-4562. La OHCS solicitará la liberación de **$198,551,591** del total de fondos para ser utilizados en el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas en los condados de Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion.

HALLAZGO DE NO IMPACTO SIGNIFICATIVO (FONSI, por sus siglas en inglés):
La OHCS ha determinado que el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas no tendrá un impacto significativo en el medio ambiente humano. Para abordar los impactos ambientales, el Registro de Revisión Ambiental (ERR, por sus siglas en inglés) incluye medidas y condiciones de mitigación. Por lo tanto, no se requiere una Declaración de Impacto Ambiental bajo la Ley de Política Ambiental Nacional de 1969 (NEPA, por sus siglas en inglés). Información adicional del proyecto se encuentra en el Registro de Revisión Ambiental (ERR) de cada condado en los archivos de la OHCS localizada en 725 Summer St., NE, Suite B, Salem, OR 97301. El ERR puede examinarse o copiarse de lunes a viernes **de 9:00 a.m. a 5:00 p.m.** Por otro lado, los ERR se encuentran disponibles en https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

AVISO FINAL Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN UNA LLANURA ALUVIAL/HUMEDAL DE 100 AÑOS:
La presente sirve para dar aviso de que la OHCS ha llevado a cabo una evaluación según lo requerido por la Orden Ejecutiva 11988, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C Procedimientos para Tomar Determinaciones sobre el Manejo de Llanuras Aluviales, y la Orden Ejecutiva 11990-Protección de Humedales. La actividad está financiada por el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas de Oregón bajo la Subvención de HUD: B-21-DZ-41-0001 (PL 117-43). Los proyectos propuestos se ubicarán en múltiples ubicaciones a lo largo de los ocho condados de Oregón declarados como desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). La ubicación exacta de los proyectos específicos del sitio se determinará en una fecha posterior. La asignación de la OHCS de los fondos CDBG-DR se utilizará para proporcionar viviendas decentes, seguras e higiénicas en las áreas más afectadas por los incendios forestales de 2020 a través del Programa de Asistencia y Reconstrucción para Propietarios de Viviendas con el propósito de rehabilitar y/o reconstruir viviendas unifamiliares. Las actividades de rehabilitación pueden incluir: reparación o reemplazo de elementos estructurales como techo, ventanas, puertas, placas de yeso, plomería, accesorios eléctricos, HVAC, endurecimiento contra incendios, y eliminación de pintura a base de plomo de asbestos de ser necesario. Las actividades de reconstrucción incluirán la demolición de la unidad original dañada por el fuego (si queda la estructura), la preparación del sitio, la reconstrucción de la vivienda unifamiliar y la elevación de la estructura si es necesario. El reemplazo de unidades de vivienda prefabricadas (MHU, por sus siglas en inglés) incluirá la demolición de la MHU original en el sitio (si la estructura permanece), el recogido de escombros y la colocación de

una nueva MHU en la misma ubicación de la anterior. Dado que el área del programa abarca todo el condado, algunos sitios seleccionados pueden estar en la llanura aluvial de 100 años y/o adyacentes a un humedal. Como se señala en el Plan de Acción de la OHCS, de acuerdo con los datos de Asistencia Individual de FEMA, se estima que menos de 10 propiedades destruidas por los incendios forestales estaban ubicadas en el Área Especial de Riesgo de Inundación (SFHA, por sus siglas en inglés), o llanura de inundación de 100 años. No obstante, es probable que haya más de 10 propiedades afectadas en la SFHA. No se permitirá ningún trabajo en los humedales existentes. Sin embargo, las propiedades pueden ser adyacentes a humedales. A continuación, se presenta de manera tabulada el número estimado de viviendas que se incluirán en el programa y los acres aproximados de llanuras aluviales en cada condado afectado.

Condado afectado	Aproximado de viviendas unifamiliares destruidas o dañadas	Total aproximado del Condado (acres)	Planicie aluvial efectiva de 100 años de FIRM (acres)	Planicie aluvial preliminar de 100 años de FIRM (acres)	Llanura aluvial de 100 años combinada total de FIRM y PFIRM (acres)	Acres aproximados del condado en llanuras aluviales de 100 años (%)
Clackamas	62	1,206,348	23,145.27		23,145.27	1.92%
Douglas	138	3,285,411	69,960.36		69,960.36	2.13%
Jackson	2,180	1,792,789	23,721.58		23,721.58	1.32%
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	0.15%
Carril	615	3,023,558	142,499.90	18,792.89	161,292.79	5.33%
Lincoln	288	763,111	37,935.92		37,935.92	4.97%
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	7.67%
Marion	633	762,636	54,591.56		54,591.56	7.16%

Se consideraron cuatro alternativas: Alternativa 1 (Alternativa Seleccionada): Realizar la Rehabilitación/Reconstrucción de la Vivienda y el Reemplazo de la MHU en la llanura de inundación de 100 años, pero no en el cauce de inundación. Alternativa 2: Todas las viviendas unifamiliares seleccionadas para el Programa deben estar fuera de la llanura de inundación de 100 años. Alternativa 3: Reubicar las viviendas fuera de la llanura aluvial de 100 años, y Alternativa 4: Alternativa de no acción. La OHCS determina que la Alternativa 1 es la única alternativa viable. Esto se debe a: 1) la necesidad de brindar alivio de los efectos de los incendios forestales de 2020; 2) el deseo de no desplazar a los residentes que prefieren permanecer en su ubicación actual; y 3) la capacidad esperada de mitigar y minimizar los impactos en la salud humana, la propiedad pública y los valores de las llanuras aluviales/humedales, ya que todo el trabajo de rehabilitación y reconstrucción involucrará viviendas existentes, en lotes existentes, en vecindarios establecidos.

Todas las estructuras, definidas en 44 CFR 59.1, diseñadas principalmente para uso residencial, y ubicadas en la llanura de inundación de 1% de probabilidad anual (o 100 años), que reciben asistencia para la reconstrucción, rehabilitación de daños sustanciales o rehabilitación que resulte en mejoras sustanciales, como se define en 24 CFR 55.2 (b) (10), deben elevarse con el piso más bajo, incluido el sótano, al menos 2 pies por encima del nivel base de inundación establecido para la llanura de inundación con probabilidad anual del 1%. La construcción adyacente a los humedales requerirá la implementación de mejores prácticas de manejo (BMP, por sus siglas en inglés) para prevenir impactos en la calidad del agua y los ecosistemas de los humedales. Para el trabajo adyacente a los humedales, los equipos de construcción instalarán cerca de malla sintética y/o pacas de heno entre el sitio de trabajo y el área del humedal para evitar los impactos de las escorrentías de aguas pluviales y, de la erosión y el transporte del suelo en las áreas de humedales.

La OHCS, luego de reevaluar las alternativas a la construcción en la llanura aluvial y adyacente a los humedales, ha determinado que no tiene una alternativa viable. Los archivos ambientales que documentan el cumplimiento de los pasos 3 al 6 de la Orden Ejecutiva 11988 y 11990, se encuentran disponibles, sujeto a solicitud, para inspección pública, revisión y copia en los horarios y lugares delineados en el último párrafo de este aviso para recibir comentarios.

Este aviso tiene tres propósitos principales. En primer lugar, dar oportunidad a las personas que puedan verse afectadas por las actividades en las llanuras aluviales o los humedales y las que tengan interés en la protección del medio ambiente natural de expresar sus preocupaciones y proveer información sobre estas zonas. En segundo lugar, un programa adecuado de aviso público puede ser una importante herramienta de educación pública. La difusión de información y la solicitud de comentarios públicos sobre las llanuras aluviales/humedales pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como parte de las políticas de justicia, cuando el gobierno federal determina que participará en acciones que se lleven a cabo en llanuras aluviales/humedales, debe informar a aquellos que pueden estar en mayor riesgo o en riesgo continuo.

COMENTARIOS PÚBLICOS:
Cualquier individuo, grupo o agencia puede enviar comentarios por escrito sobre el ERR a la Agencia de Vivienda y Servicios Comunitarios. La OHCS exhorta la presentación electrónica de comentarios a través de ReOregon@hcs.oregon.gov. Todos los comentarios recibidos antes del 3 de noviembre de 2023 serán considerados por la OHCS antes de autorizar la presentación de una solicitud de liberación de fondos de HUD. **Los comentarios deben especificar a qué Aviso de ReOregon se están dirigiendo** (RROF, FONSI o Aviso Final de Llanuras Aluviales). Como alternativa, los comentarios pueden enviarse por correo postal a la OHCS la siguiente dirección: Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

CERTIFICACIÓN AMBIENTAL:
La OHCS certifica a HUD que Ryan Flynn, en su capacidad de Director de Recuperación de Desastres y Resiliencia en OHCS y Oficial Certificador, consiente aceptar la jurisdicción de los Tribunales Federales si se presenta una acción para hacer cumplir las responsabilidades en relación con el proceso de revisión ambiental y que estas responsabilidades han sido satisfechas. La aprobación de la certificación por parte de HUD satisface sus responsabilidades bajo NEPA y leyes y autoridades relacionadas y, permite que la OHCS utilice los fondos del Programa.

OBJECIONES A LA LIBERACIÓN DE FONDOS:
HUD aceptará objeciones a su liberación de fondos y a la certificación de OHCS por un período de quince días después de la fecha de presentación anticipada o de la fecha de recibo de la solicitud (lo que ocurra más tarde) solo si se basan en una de las siguientes bases: (a) la certificación no fue ejecutada por el Oficial Certificador de la OHCS; (b) La OHCS ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR parte 58; (c) el beneficiario de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, incurrido en costos o realizado actividades no autorizadas por 24 CFR Parte 58 antes de la aprobación de una liberación de fondos por parte de HUD; o (d) otra agencia federal que actúe de conformidad con 40 CFR Parte 1504 ha presentado una conclusión por escrito de que el proyecto es insatisfactorio desde el punto de vista de la calidad ambiental. Las objeciones deben prepararse y enviarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58, Sec. 58.76) y deben dirigirse a HUD Atención: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, o por correo electrónico

a Portland_RROF@hud.gov. Los posibles objetores deben comunicarse con HUD para verificar el último día real del período de objeción.

Ryan Flynn, Director
Recuperación ante Desastres y Resiliencia
Vivienda y Servicios Comunitarios de Oregón
15 de octubre de 2023

O10767003-01

8 - Step Decision Making Process

Attachment 10

Final Notice Comments

There were no comments for the final notice.

ATTACHMENT L

Historic Preservation

From:	Bock, John
To:	ORSHPO.Clearance@oregon.gov
Cc:	Dahlgren, Angela; Hunt, Jack; Ryan.FLYNN@hcs.oregon.gov; Chelsea.CATTO@hcs.oregon.gov; ReOregon@hcs.oregon.gov
Subject:	Programmatic Section 106 Consultation for ReOregon
Date:	Wednesday, January 25, 2023 5:43:57 PM
Attachments:	Sub Frm_ReOregon.pdf Cvr Ltr_ReOregon.pdf

John R. Bock | **Senior Environmental Scientist**
Main: 510.302.6249 | Fax: 510.433.0830
john.bock@tetratech.com

Tetra Tech | Complex World, Clear Solutions
1999 Harrison Street, Suite 500 | Oakland, CA 94612
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REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

January 24, 2023

Ms. Lisa Sumption
State Historic Preservation Officer
Oregon Parks and Recreation Department
725 Summer Street NE, Suite C
Salem, OR 97301
Transmitted via email: Lisa.Sumption@oprd.oregon.gov

Re: Tiered Environmental Review and Section 106 Consultation for the Homeowner Assistance and Reconstruction Program, 2022 Community Development Block Grant-Disaster Recovery

Dear Ms. Sumption:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the CDBG-DR funding from the U.S. Department of Housing and Urban Development (HUD) to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing

parcel to be maintained as a low- to moderate-income (LMI) rental unit, and first-time buyer home ownership opportunities.

As the grantee of HUD funds, OHCS is the Responsible Entity and is delegated responsibility for completing necessary environmental consultations concerning this program pursuant to HUD's Title 24 Code of Federal Regulations Part 58 (24 CFR Part 58), including HUD's obligations under Title 54 U.S. Code Section §306108, commonly referred to as Section 106 of the National Historic Preservation Act (NHPA), and its enabling regulations at 36 CFR Part 800. In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the National Environmental Policy Act (NEPA) review of the program, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 Action Plan for Disaster Recovery, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks input from the Parks and Recreation Department concerning the following types of single-family housing unit projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures;
- Reconstruction of the disaster-damaged primary structure inside original footprint;
- Reconstruction of the disaster-damaged primary structure outside original footprint;
- Repair and replacement of manufactured housing units;
- Acquisition;
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code);
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems;
- Handicap accessibility features;
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas;
- Fire hardening;
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

The following is proposed as a guide to determine the need for Section 106 consultation on an individual project site:

1. For interior rehabilitation, manufactured housing units, or locations where the structure is no longer present, no consultation with the State Historic Preservation Office (SHPO) or other Section 106 activities for architectural resources are required.
2. For rehabilitation/repair or reconstruction of an existing structure (constructed less than 45 years ago) that is outside of a designated historic district, no consultation with SHPO or other Section 106 activities for architectural resources are required.
3. For rehabilitation/repair or reconstruction of a structure in the same footprint, no consultation with SHPO or other Section 106 activities for archaeological resources are required.
4. For activities not subject to the above exemptions, OHCS will consult with the SHPO on a case-by-case basis.
5. OHCS will map all properties in relation to known archaeological sites. If a project is located near a known archaeological site (within 100 meters) and is an undertaking (rehabilitation, reconstruction, or new construction) that involves substantial earth moving, such as footing/foundation trenching, utility line excavation (sewer, water, gas, leach, etc.) or septic tanks, OHCS will consult with the SHPO on a case-by-case basis.

OHCS intends to fully comply with the laws concerning historic preservation. As part of this programmatic Section 106 consultation, please review the above project information and let us know if the SHPO agrees with our proposed approach and if you have any concerns regarding the types of projects to be funded.

As part of the Section 106 process, a HUD Tribal Directory Assessment Tool (TDAT) search was completed for all affected counties. Initial correspondence was sent to the 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, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and Klamath Tribes to determine which projects will require case-by-case Tribal consultation. Only one tribe responded to the correspondence; the Coquille Indian Tribe stated “Please coordinate with our office on any construction in Douglas County.”

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to me and to Angela Dahlgren at angela.dahlgren@tetratech.com.

Thank you in advance for your assistance. If you have any questions or would like additional information, please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience, at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division, at angela.dahlgren@tetratech.com.

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

OR SHPO SUBMITTAL FORM

RESPONSE REQUIRED IN ALL SECTIONS

WHY

This submittal is (Select One)

- [x] the First Initiation of Consultation and no SHPO Case # exists
- [ ] a Response to SHPO Request for more information on existing SHPO Case # provided below
- [ ] New Information for review on existing SHPO Case # provided below

Existing SHPO Case #

WHAT

Your Project Name: ReOregon Homeowner Assistance and Reconstruction Program

Your Project Number:

Extremely Brief Project/Undertaking Description

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit on their existing parcel to be maintained as a low- to moderate-income rental unit, and first-time buyer home ownership opportunities

WHERE

Project Location

County(s): Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, Marion

Street Address: City:

OR Legal Description T/R/S:

OR Long/Lat (decimal degrees to 4 decimal places) Long: Lat:

WHO RECEIVES CORRESPONDENCE FROM THE SHPO

If not the Formal Contact, the Working Project Contact is who the SHPO communicates with for more information about the project and/or submittal package

Formal Contact		Working Project Contact (cc'd on all correspondence to Formal Contact)	
Name	Ryan Flynn	Name	Angela Dahlgren
Org	Oregon Housing and Community Services	Org	Tetra Tech, Inc.
Address	725 Summer Street NE, Suite B	Address	2301 Lucien Way, Suite 120
Address		Address	
City/ST/Zip	Salem, OR 97301	City/St/Zip	Maitland, FL 32751
Phone	(503) 986-2000	Phone	(386) 216-5568
Email	ryan.flynn@hcs.oregon.gov	Email	angela.dahlgren@tetratech.com

HOW

Is there a federal nexus for the project (funding, permiting, licensing, etc.)? [x] Yes [ ] No

Ownership of Project Land? [x] Private [ ] Public [ ] Both

Additional Comments (Optional)

This submittal is for programmatic consultation under Section 106 of the National Historic Preservation Act, which will determine the Section 106 requirements for each project under this program

---

SUBMITTED TO SHPO FOR

- [ ] Built Environment Review
- [ ] Archaeology Review
- [x] Both Built and Archaeology Review

SUBMITTAL EMAIL ACCOUNT

ORSHPO.Clearance@oregon.gov

ADDITIONAL ATTACHMENTS (Select All that Apply & Attach Individually)

- [x] Cover Letter
- [ ] Map(s) (Required for Archaeology if not included in a Report)
- [ ] Oregon SHPO Clearance Form (Built Environment)
- [ ] 106 Documentation Form (Built Environment)
- [ ] Built Environment Only Report
- [ ] Archaeology Report INCLUDING State of Oregon Report Cover Sheet
- [ ] Combined Arch & Built Report INCLUDING State of Oregon Report Cover
- [ ] Sheet BLM or USFS Archaeology Site Record(s) # Individually Attached
- [ ] Spatial Data
- [ ] Other 1 (Name It)
- [ ] Other 2 (Name It)
- [ ] Other 3 (Name It)

From: CATTO Chelsea * HCS
To: SUMPTION Lisa * OPRD
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:19:37 PM
Attachments: SHPO_Oregon.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

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August 3, 2022

Ms. Lisa Sumption
State Historic Preservation Officer
Oregon Parks & Recreation Office
725 Summer Street NE, Suite C
Transmitted via email: Lisa.SUMPTION@oprd.oregon.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Sumption:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks input from the Office of Historic Preservation concerning the following types of single-family housing unit projects:

Homeowner Assistance And Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based pain and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

For rehabilitation/repair of an existing structure (constructed less than 45 years ago) or reconstruction of a like structure (constructed less than 45 years ago) in the same footprint, we believe (and are asking for your concurrence) that that these types of actions would not require Section 106 Consultation.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

For exterior rehabilitation/repair of an existing structure (45 years or older) or reconstruction of a like structure (45 years or older), OHCS will consult with the SHPO on a case-by-case basis.

All properties will be mapped in relation to known archaeological sites. If the project is located near a known archaeological site, OHCS believes that all undertakings (rehabilitation, reconstruction, or new construction) that involve substantial earth moving, such as footing/foundation trenching, utility line excavation (sewer, water, gas, leach, etc.) or septic tanks will require consultation with the SHPO.

For undertakings other than rehabilitation, such as new construction or acquisition, OHCS will consult with the SHPO on a case-by-case basis pursuant to 36 CFR Part 800.

OHCS intends to fully comply with the laws concerning historic preservation. Please review the above project information and let us know if the SHPO agrees with our assessment and please let us know which types of projects will require a case-by-case consultation.

As part of the Section 106 process a TDAT search was completed for all affected counties. Initial correspondence it also being sent to the 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, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and Klamath Tribes to determine which projects will require case-by-case Tribal consultation.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

EQUAL HOUSING OPPORTUNITY

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

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Historic Preservation for Oregon

24 CFR Part 58

General requirements	Legislation	Regulation
Protect sites, buildings, objects, structures, and districts with national, state or local historic, cultural and/or archeological significance. Identify effects of project on historic properties	National Historic Preservation Act, 16 U.S.C. 470(f), section 106	36 CFR Part 800 24 CFR Part 58.5(a)

1. Does the project include repair, rehabilitation or conversion of existing properties; new construction; the acquisition of undeveloped land; or any activity that requires ground disturbance (defined as one cubic foot of disturbed soil)?

☐ No: STOP here. The Section 106 Historic Preservation review is complete.
Record your determination on the Statutory Worksheet or Environmental Assessment.

☐ Yes: PROCEED to #**2**

2. Does the project involve a structure that is less than 45 years old, is not in a historic district and has no ground disturbing activities?

☐ Yes: STOP here. The Section 106 Historic Preservation review is complete.
Record your determination that there is no potential to cause effect, including the age of the existing building and information from the National Register to show that the activity is not in a historic district, on the Statutory Worksheet or Environmental Assessment.

☐ No: PROCEED to #**3**

3. Consult with SHPO or THPO and any tribes or groups that may have an interest in the project to determine if the project is eligible for the National Register of Historic Places.

- You must define and consider the Area of Potential Effect (APE). The APE is the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties. The APE is influenced by the scale and nature of an undertaking. (36 CFR Part 800.16).

- Determine if there are tribes or groups that have an interest in the historic aspects of the project and invite them to participate in the consultation. For ground disturbing activities, you must make a reasonable and good faith effort to identify Indian tribes that may have an interest. HUD's website lists interested tribes by county: https://egis.hud.gov/tdat/ It is suggested that you go to the Legislative Commission on Indian Services, Tribal websites, or contact the SHPO to make sure contact information is current.

- Consult the State Historic Preservation Officer (SHPO), or if the project is on certain tribal lands, the Tribal Historic Preservation Officer (THPO), with details of the project and project site and your determination if it is eligible for the National Register of Historic Places. Instructions on how to submit projects for review to the Oregon SHPO and submittal requirements are below. SHPO or THPO has 30 calendar days from receipt of adequate documentation to review and concur or comment on your determination of eligibility and finding of effect. If SHPO does not respond within the timeframe, or provide a description of additional information needed, you may proceed with the next step of the process based on your finding or consult with the Advisory Council on Historic Preservation (ACHP).

State Historic Preservation Officer contacts: https://www.oregon.gov/oprd/OH/Pages/Staff-Directory.aspx
Tribal Historic Preservation Officers contacts: http://www.nathpo.org/map.html

Proceed as appropriate based on the Finding:

☐ **No Historic Properties Affected:** STOP here. The Section 106 Historic Preservation review is complete.
Attach SHPO/THPO concurrence, copies of letters to and from other interested parties and the tribes, and your response to the ERR. If SHPO/THPO did not respond within 30 days, your dated letter documents

compliance. Record your determination of no historic properties affected on the Statutory Worksheet or Environmental Assessment.

☐ **No Adverse Effect on Historic Property**: STOP here. The Section 106 Historic Preservation review is complete. **Categorically Excluded projects (24 CFR Part 58.35(a)) CANNOT convert to exempt with this determination**.
Attach SHPO/THPO concurrence, copies of letters to and from other interested parties and the tribes, and your response to the ERR. Record your determination of no adverse affect on historic properties on the Statutory Worksheet or Environmental Assessment.

☐ **Adverse Effect on Historic Property** Resolve Adverse Effects per 800.6 in consultation with SHPO/THPO, the ACHP if participating, and any consulting parties. The loan or grant may not be approved until adverse effects are resolved according to 800.6 or you have complied with 36 CFR Part 800. **Categorically Excluded projects (24 CFR Part 58.35(a)) CANNOT convert to exempt with this determination**.
Make sure that the resolution is fully documented in your ERR with all SHPO/THPO correspondence, copies of letters to and from other interested parties and the tribes, surveys, MOAs etc.

Submittal Processes for the Oregon SHPO:

The Oregon SHPO is able to electronically receive project documentation using Go Digital. Go Digital submittals are sent to ORSHPO.Clearance@oregon.gov with the appropriate attachments. This dedicated email account is monitored by support staff and ensures your project receives a SHPO case number and is assigned to the appropriate staff for review. Do not send digital submissions to individual staff members. Instructions on Go Digital are available for download from: https://www.oregon.gov/oprd/OH/pages/projectreview.aspx.

Submittal Requirements for the Oregon SHPO

For all reviews, include a cover letter with the following:

- A statement that you are the "responsible entity" for Section 106 consultation.
- A detailed description of the proposed project actions.
- Determinations of eligibility for all cultural resources.
- Finding of effect for the undertaking.

For Built Environment reviews, include:

- Completed Oregon SHPO Clearance Form, available for download from https://www.oregon.gov/oprd/OH/Pages/ProjectReviewResources.aspx. If multiple properties are being recorded, each property needs a separate form.

For Archaeological review, include:

- A map with the APE clearly delineated.
- A history of the APE (e.g. past development, land use, existing utilities)
- An archaeological report with the SHPO report cover sheet, available for download from https://www.oregon.gov/oprd/OH/Pages/ProjectReviewResources.aspx.
- Shapefiles of APE, survey area, and any resources discovered

Tribal Directory Assessment Information

Contact Information for Tribes with Interests in Linn County, Oregon

	Tribal Name	County Name
+	Confederated Tribes of Siletz Indians of Oregon	Linn
+	Confederated Tribes of the Grand Ronde Community of Oregon	Linn
+	Confederated Tribes of the Warm Springs Reservation of Oregon	Linn

1 - 3 of 3 results « ‹ 1 › » 10

From: CATTO Chelsea * HCS
To: dpigsley@msn.com
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:20:40 PM
Attachments: Siletz Indians_Oregon.pdf

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Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

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August 3, 2022

Delores Pigsley
Tribal Chairperson
Confederated Tribes of Siletz Indians of Oregon
PO Box 549
Siletz, OR 97380-0549
Transmitted via email: dpigsley@msn.com

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Pigsley:

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OHCS intends to fully 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 that may have religious and cultural significance to your tribe.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Please let us know if any of the project types listed would require consultation with your Tribe. If consultation is required, it would be helpful if you could identify which specific conditions would trigger the need for consultation. If you do not wish to consult on this project, can you please inform us?

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

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,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

From:	CATTO Chelsea * HCS
To:	EDWARDS Briece
Cc:	FLYNN Ryan * HCS; Dahlgren, Angela
Subject:	2022 CDBG-DR Tiered Environmental Review notice
Date:	Wednesday, August 3, 2022 8:03:12 PM
Attachments:	Grande Ronde Tribe_Oregon.pdf

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Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
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August 3, 2022

Christopher Bailey
Cultural Protection Specialist
Confederated Tribes of the Grand Ronde Community of Oregon
8720 Grand Ronde Road
Grand Ronde, OR 97347-9712
Transmitted via email: thpo@grandronde.org

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Bailey:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

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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,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

From: CATTO Chelsea * HCS
To: robert.brunoe@ctwsbnr.org
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:23:48 PM
Attachments: Warm Springs Reservation Tribe_Oregon.pdf

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Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

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August 3, 2022

Robert Brunoe
Tribal Historic Preservation Officer
Confederated Tribes of the Warm Springs Reservation of Oregon
PO Box C
Warm Springs, OR 97761-3001
Transmitted via email: robert.brunoe@ctwsbnr.org

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Brunoe:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a case-by-case basis once those sites are identified.

The following types of single-family housing unit projects will be conducted under ReOregon:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

OHCS intends to fully 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 that may have religious and cultural significance to your tribe.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Please let us know if any of the project types listed would require consultation with your Tribe. If consultation is required, it would be helpful if you could identify which specific conditions would trigger the need for consultation. If you do not wish to consult on this project, can you please inform us?

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

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,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

ATTACHMENT M

Noise Abatement and Control

This content is from the eCFR and is authoritative but unofficial.

Title 24 - Housing and Urban Development
Subtitle A - Office of the Secretary, Department of Housing and Urban Development
Part 51 - Environmental Criteria and Standards
Subpart B - Noise Abatement and Control

Authority: 42 U.S.C. 3535(d), unless otherwise noted.
Source: 44 FR 40861, July 12, 1979, unless otherwise noted.

§ 51.101 General policy.

(a) It is HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence.

(1) ***Planning assistance.*** HUD requires that grantees give adequate consideration to noise exposures and sources of noise as an integral part of the urban environment when HUD assistance is provided for planning purposes, as follows:

(i) Particular emphasis shall be placed on the importance of compatible land use planning in relation to airports, highways and other sources of high noise.

(ii) Applicants shall take into consideration HUD environmental standards impacting the use of land.

(2) ***Activities subject to 24 CFR part 58.***

(i) Responsible entities under 24 CFR part 58 must take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas. Responsible entities shall address deviations from the standards in their environmental reviews as required in 24 CFR part 58.

(ii) Where activities are planned in a noisy area, and HUD assistance is contemplated later for housing and/or other noise sensitive activities, the responsible entity risks denial of the HUD assistance unless the HUD standards are met.

(3) ***HUD support for new construction.*** HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure. (Standards of acceptability are contained in § 51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales egistration, or any action or 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.

(4) ***HUD support for existing construction.*** Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. However, environmental noise is a marketability factor which HUD will consider in determining the amount of insurance or other assistance that may be given.

(5) ***HUD support of modernization and rehabilitation.*** For modernization projects located in all noise exposed areas, HUD shall encourage noise attenuation features in alterations. For major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level or exterior noise exposure. In Unacceptable noise zones, HUD shall strongly encourage conversion of noise-exposed sites to land uses compatible with the high noise levels.

(6) ***Research, guidance and publications.*** HUD shall maintain a continuing program designed to provide new knowledge of noise abatement and control to public and private bodies, to develop improved methods for anticipating noise encroachment, to develop noise abatement measures through land use and building construction practices, and to foster better understanding of the consequences of noise. It shall be HUD's policy to issue guidance documents periodically to assist HUD personnel in assigning an acceptability category to projects in accordance with noise exposure standards, in evaluating noise attenuation measures, and in advising local agencies about noise abatement strategies. The guidance documents shall be updated periodically in accordance with advances in the state-of-the-art.

(7) ***Construction equipment, building equipment and appliances.*** HUD shall encourage the use of quieter construction equipment and methods in population centers, the use of quieter equipment and appliances in buildings, and the use of appropriate noise abatement techniques in the design of residential structures with potential noise problems.

(8) ***Exterior noise goals.*** It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels. This level is recommended by the Environmental Protection Agency as a goal for outdoors in residential areas. The levels recommended by EPA are not standards and do not take into account cost or feasibility. For the purposes of this regulation and to meet other program objectives, sites with a day-night average sound level of 65 and below are acceptable and are allowable (see Standards in § 51.103(c)).

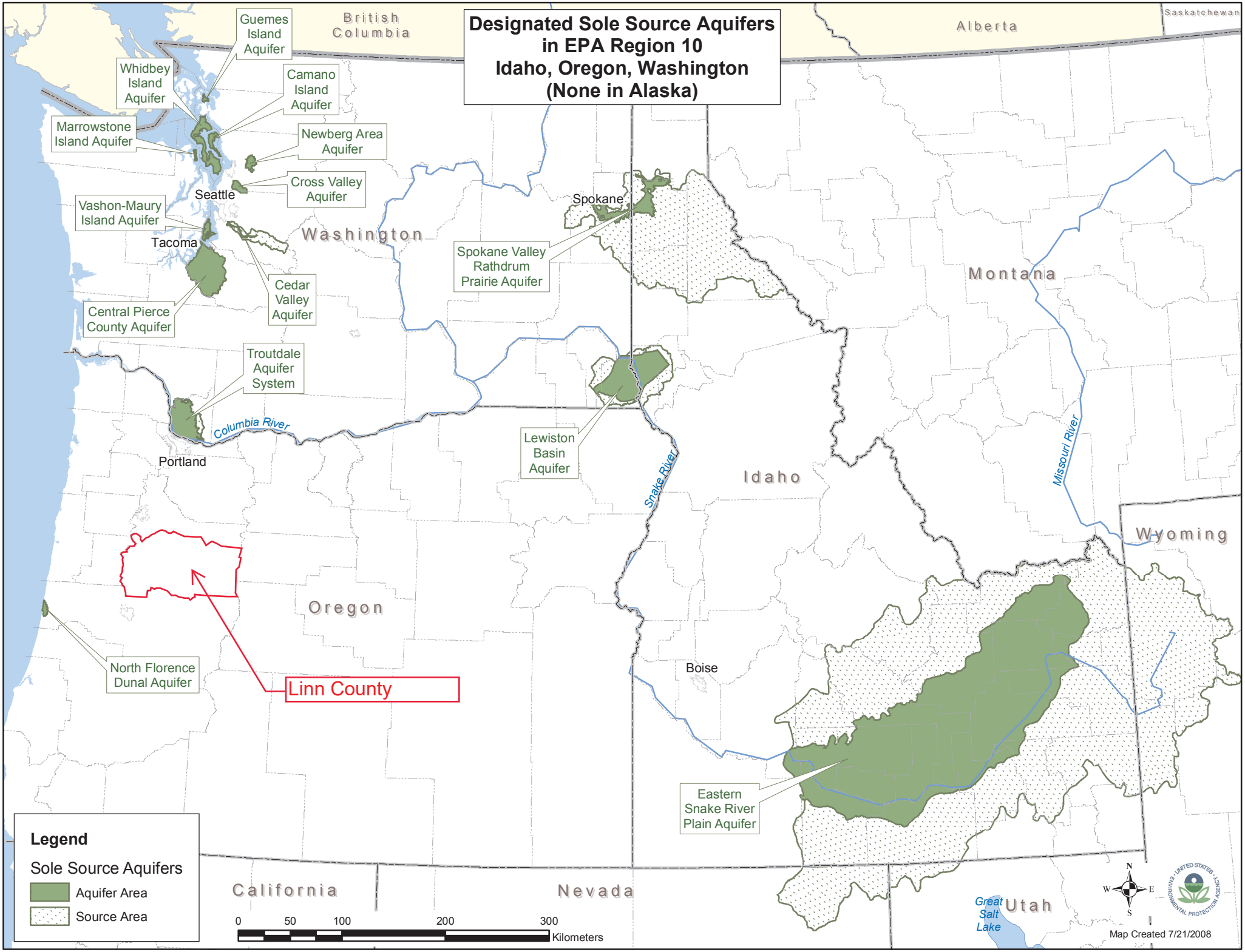
(9) ***Interior noise goals.*** It is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels. Attenuation measures to meet these interior goals shall be employed where feasible. Emphasis shall be given to noise sensitive interior spaces such as bedrooms. Minimum attenuation requirements are prescribed in § 51.104(a).

(10) ***Acoustical privacy in multifamily buildings.*** HUD shall require the use of building design and acoustical treatment to afford acoustical privacy in multifamily buildings pursuant to requirements of the Minimum Property Standards.

[44 FR 40861, July 12, 1979, as amended at 50 FR 9268, Mar. 7, 1985; 61 FR 13333, Mar. 26, 1996]

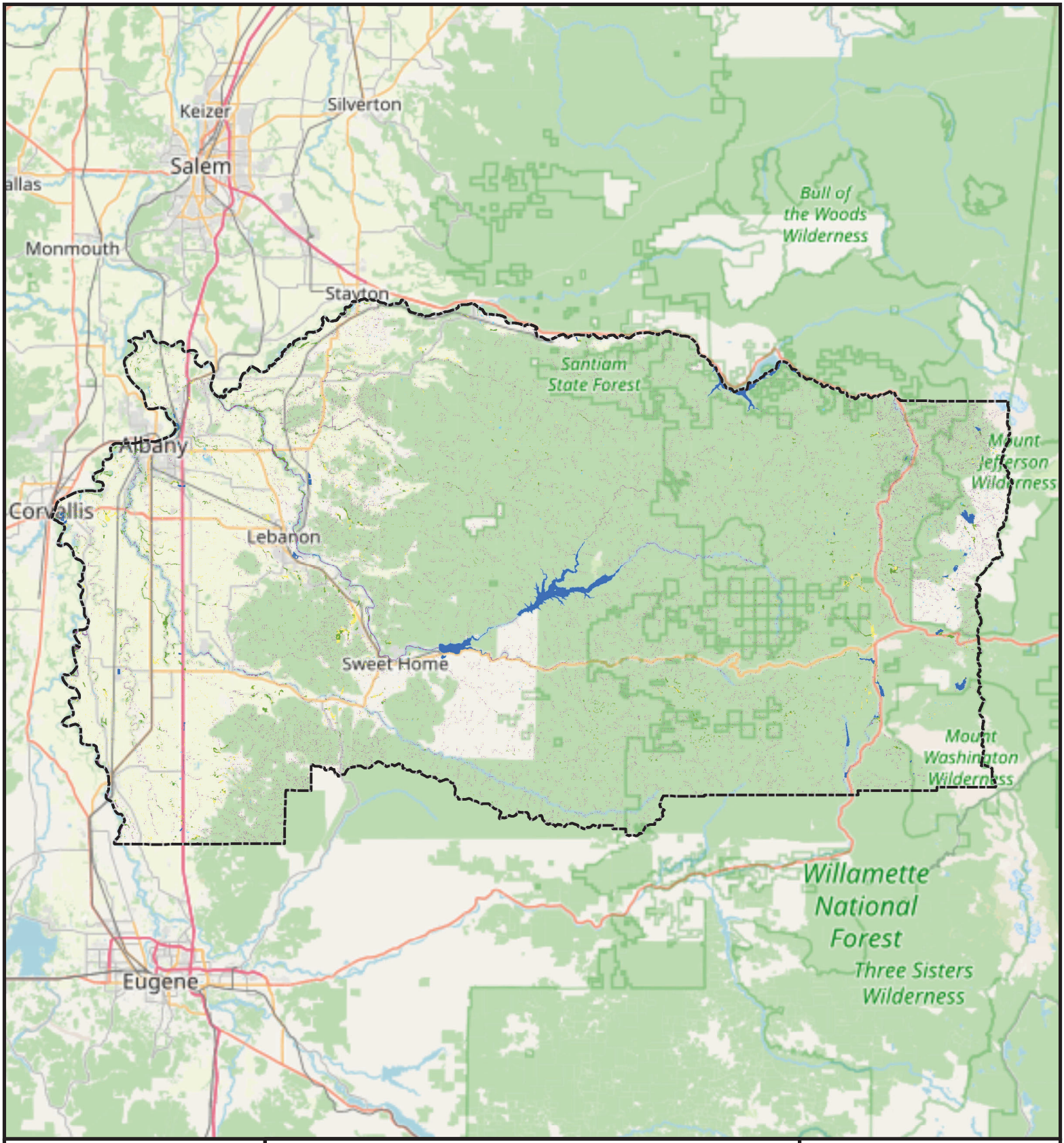
ATTACHMENT N

Sole Source Aquifers


Designated Sole Source Aquifers
in EPA Region 10
Idaho, Oregon, Washington
(None in Alaska)
British Columbia
Alberta
Saskatchewan
Guemes Island Aquifer
Whidbey Island Aquifer
Camano Island Aquifer
Marrowstone Island Aquifer
Newberg Area Aquifer
Cross Valley Aquifer
Seattle
Vashon-Maury Island Aquifer
Tacoma
Washington
Spokane
Spokane Valley Rathdrum Prairie Aquifer
Montana
Cedar Valley Aquifer
Central Pierce County Aquifer
Troutdale Aquifer System
Columbia River
Portland
Lewiston Basin Aquifer
Snake River
Idaho
Missouri River
Wyoming
Oregon
North Florence Dunal Aquifer
Linn County
Boise
Eastern Snake River Plain Aquifer
California
Nevada
Utah
Great Salt Lake
Legend
Sole Source Aquifers
Aquifer Area
Source Area
0 50 100 200 300
Kilometers
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Map Created 7/21/2008

ATTACHEMNT O

Wetlands Protection



TETRA TECH

Tier 1 Environmental Review
National Wetland Inventory Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Freshwater Pond

Freshwater Emergent Wetland

Lake

Freshwater Forested Wetland

Riverine

Source: NWI

N

0 5 10

Miles

0 12.5 25

Kilometers

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

August 11, 2022

Regulatory Branch
Corps No. NWP-2022-394

Mr. Ryan Flynn
Oregon Housing and Community Services
725 Summer Street NE, Suite B
Salem, Oregon 97301
ryan.flynn@hcs.oregon.gov

Dear Mr. Flynn:

The U.S. Army Corps of Engineers (Corps) Portland and San Francisco Districts received your letter dated August 3, 2022 explaining Oregon Housing and Community Services' (OHCS) environmental review process for the 2022 Community Development Block Grant Disaster Recovery Program. The program includes disaster recovery work for an estimated 4,300 homes in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion Counties. In your letter, you requested Corps Regulatory Program concurrence that multiple types of potential recovery actions by homeowners, as listed in the letter, would not require further review by the Corps.

The Corps Regulatory Program administers the regulations under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899 (RHA). Under Section 404 of the CWA, a DA permit is generally required for the discharge of dredged or fill material (e.g., fill, or mechanized land clearing) into waters of the U.S., including wetlands.

Without reviewing individual project design proposals submitted through our application process, the Corps cannot determine whether a potential action may or may not require a permit. Individuals and entities developing proposals to work in waters of the United States, including wetlands, should submit applications to our Portland District office for review. For your information, the Portland District handles all Regulatory permit actions in the State of Oregon.

To support this effort, we offer the following:

- Applicants can find information on how to submit an application and what is needed for the application here: https://www.nwp.usace.army.mil/Missions/Regulatory/Apply/.

- Potential applicants can reach out to county contacts with questions at any time. You can find contact information here: https://www.nwp.usace.army.mil/Missions/Regulatory/Contact/.

- Please feel free to share the attached US Corps of Engineers Regulatory Factsheet (Enclosure) with anyone who may need to work with the Corps on authorization to complete in-water work.

If you have any questions regarding the information above, please contact Ms. Melanie O'Meara by telephone at (541) 465-6765 or e-mail at melanie.s.omeara@usace.army.mil.

William D. Abadie

William D. Abadie
Chief, Regulatory Branch

Enclosure

cc:
Tetra Tech (Angela Dahlgren, angela.dahlgren@tetratech.com)

Wildfire Recovery and Corps Permitting

U.S. ARMY CORPS OF ENGINEERS **BUILDING STRONG®**

Below are questions/answers to help you know when you might need to talk with the U.S. Army Corps of Engineers (USACE) during wildfire recovery efforts.



When do I need to talk to the USACE Regulatory Branch?

While not all activities in waterways need a permit, it is best to contact your county Project Manager (see next question below) to determine if USACE authorization is needed. Discharges of dredged or fill material into any jurisdictional waters or work over, under, or in a navigable waterway would likely require authorization from USACE. In addition, work on or near USACE Civil Works projects, such as some levees, dams, reservoirs, and federal navigation channels may require a 408 permission by USACE (see https://www.nwp.usace.army.mil/408/).

How do I reach my contact at USACE?

The complete list of USACE Regulatory staff direct phone numbers/emails can be found at: https://www.nwp.usace.army.mil/Missions/Regulatory/Contact.aspx. Project Managers are assigned by county. Additional experts are also listed to help answer your questions.

If work is to be conducted on or near a federally authorized project, which may include a dam, levee, flood wall, federal navigation channel, or reservoir including work in uplands, please contact section408nwp@usace.army.mil.

What is USACE Regulatory's emergency permitting process?

The USACE Regulatory definition of "emergency:"

- an unacceptable hazard to life;
- a significant loss of property; or
- an immediate, unforeseen, and significant economic hardship.

USACE makes emergency authorization decisions on a case-by-case basis. Emergency declarations by the state or a county government does not mean all projects within the area qualify as emergency situations.

To discuss potential emergency authorization, contact your county Project Manager. If you need to reach USACE after work hours/on weekends, please contact the Regulatory Branch Chief Mr. Bill Abadie at 503-708-7653. Be prepared to discuss the project location and what in-water work you propose. The USACE emergency process public notice can be found at: https://www.nwp.usace.army.mil/Missions/Regulatory/Projects.aspx.

You may need to conduct a wetland delineation, cultural resource investigations, sediment evaluation, or other preparatory work when applying for authorization from USACE Regulatory. **Your county Project Manager can help you understand requirements.**

U.S. ARMY CORPS OF ENGINEERS – PORTLAND DISTRICT
P.O. BOX 2946, PORTLAND, OR 97208
WWW.NWP.USACE.ARMY.MIL

Do I need to talk to USACE Regulatory Branch to conduct debris removal?
There are three general ways to conduct debris removal without USACE Regulatory involvement: 1) do not use machinery in any waters (for example, when collecting woody debris from a river); 2) conduct vegetation clearing by hand, not removing roots.; 3) do not dig into or disturb the soil/sediment of a water's bed or banks. For example, if you position machinery only in uplands and extend the arm of the machinery to reach the debris, pull only the debris (no sediment) from the water, and then place it in uplands, no USACE Regulatory permit would be required.

If my project site is in a Section 10 water, is there any work I can do in the water without needing USACE Regulatory permit?
Some work in Section 10 waters (see https://www.nwp.usace.army.mil/Missions/Regulatory/Jurisdiction/ for more information) is considered minor and you may not need authorization from USACE Regulatory. Constructing a new structure or rebuilding a structure that deviates from the previous design would require USACE Regulatory authorization. Blocking navigation in the water is not permissible. Contact your county Project Manager if you have questions about work that may require authorization from USACE.

How do you know where a water's boundary is located?
Uplands (above the ordinary high-water mark (OHWM) of open water) are generally just landward of the vegetation line. The boundary of a wetland requires a delineation. If you have questions about a particular water, contact your county Project Manager.

Does bank stabilization require a permit from USACE Regulatory?
Bank stabilization (retaining walls, riprap, etc.) below the OHWM of waters of the United States would require authorization prior to construction. Bank stabilization activities that may require a permit include but are not limited to: 1) restoration of streambanks and wetlands; 2) discharge of native or aggregate fill materials into a water; 3) temporary (typically up to six months) bank stabilization measures in waters; and 4) work area(s) isolation (i.e., coffer dams, silt fencing etc.) in waters.

Can I place or remove any material, for example trees, into the water or from the streambank without an USACE Regulatory authorization?
It depends on the specific stream, river, lake or wetland, and the work involved. Materials placed into rivers may cause navigation and stabilization issues with nearby properties, which may require USACE Regulatory review. In some cases, placing or removing downed trees would require a permit, including but not limited to, removal of a tree and root wad (i.e., below OHWM) resulting in a bank hole or punch out location creating bank destabilization and displacement of bank material below the OHWM. Your county PM can work with you to determine if authorization is needed.

How to do I submit a permit application?
We accept electronic applications at: PortlandPermits@usace.army.mil. If your documents are over 20MB or you need to mail in a paper copy of your application, reach out to your county Project Manager (see above). You can find additional details on how to submit your application and what to submit here: https://www.nwp.usace.army.mil/Missions/Regulatory/Apply/ or call your Project Manager.

From: CESPN-RG-Info
To: CATTO Chelsea * HCS
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: RE: 2022 CDBG-DR Tiered Environmental Review notice
Date: Friday, August 5, 2022 2:34:12 PM

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Thank you for your submittal. We look forward to serving you.

V/R,

Regulatory Division
San Francisco District, U.S. Army Corps of Engineers
450 Golden Gate Avenue, 4th Floor
San Francisco, California 94102-3404

O: 415-503-6795
E-mail: cespn-regulatory-info@usace.army.mil
Website: https://www.spn.usace.army.mil/Missions/Regulatory/

The San Francisco District is going paperless. All Applications, JD Requests, Referrals, Violations, Interagency meeting requests must be e-mailed to cespn-rg-submittal@usace.army.mil, and Inquiries, Agency Permits/Certifications, FOIA, and Monitoring Reports, should be e-mailed to cespn-rg-info@usace.army.mil

Please include the type of submittal (e.g. Nationwide / Individual Permit) in the Subject line. Even if it is necessary to provide a hard copy of the application materials, a digital copy must still be submitted in PDF format.

We can receive emails with attachments up to 35 MB in size. Larger files can be transmitted using the DoD SAFE web app. If you require use of DoD SAFE for your documentation submittals, please coordinate with Corps staff at cespn-rg-info@usace.army.mil to upload and transfer your files.

From: CATTO Chelsea * HCS <Chelsea.CATTO@hcs.oregon.gov>
Sent: Wednesday, August 3, 2022 5:22 PM
To: CESPN-RG-Info <CESPN-RG-Info@usace.army.mil>
Cc: FLYNN Ryan * HCS <Ryan.FLYNN@hcs.oregon.gov>; Dahlgren, Angela <Angela.Dahlgren@tetratech.com>
Subject: [Non-DoD Source] 2022 CDBG-DR Tiered Environmental Review notice

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

From:	CATTO Chelsea * HCS
To:	William.D.Abadie@usace.army.mil
Cc:	FLYNN Ryan * HCS; Dahlgren, Angela
Subject:	2022 CDBG-DR Tiered Environmental Review notice
Date:	Wednesday, August 3, 2022 8:21:26 PM
Attachments:	USACOE-Northwestern Division_Oregon.pdf

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Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Mr. Bill Abadie, Portland District Regulatory Branch Chief
U.S. Army Corps of Engineers
Northwestern Division
1201 NE Lloyd Blvd Ste 400
Portland, OR 97232-1257
Transmitted via email: William.D.Abadie@usace.army.mil

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Mr. Abadie:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the USACOE with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock), and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

For rehabilitation/repair of an existing structure or reconstruction of a like structure in the same location, we believe (and are asking for your concurrence) that these types of actions would constitute a "no further effect or impact to a wetland area" and no further action would be required with regards to EO 11990 or permitting.

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

For those projects that could potentially cause adverse impact to wetland areas, consultation with the USACOE (and any regulatory actions needed) would be required prior to any construction activity occurring.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,



Ryan Flynn, Assistant Director

Oregon Housing and Community Services

Disaster Recovery & Resilience

(503) 986-2000

ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager

Tetra Tech Disaster Recovery (TDR) Division

(386) 216-5568

angela.dahlgren@tetratech.com

From: CATTO Chelsea * HCS
To: cespn-regulatory-info@usace.army.mil
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:22:07 PM
Attachments: USACOE-South Pacific Division_Oregon.pdf

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Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

REOregon
Recover · Rebuild · Revitalize
725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Division Chief
Department of the Army
San Francisco District, Corps of Engineers
Regulatory Division
450 Golden Gate Ave. 4th Floor
San Francisco, CA 94102
Transmitted via email: cespn-regulatory-info@usace.army.mil

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Sir/Madam:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the USACOE with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

Accessory Dwelling Unit Pilot Program: Accessory dwelling units (ADUs) are independent residential dwelling units located on the same lot as a stand-alone single-family home.

- Additions to homes reconstructed through Homeowner Assistance and Reconstruction Program (expansion of footprint) used to replenish damaged rental housing stock.

Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock) , and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

For rehabilitation/repair of an existing structure or reconstruction of a like structure in the same location, we believe (and are asking for your concurrence) that these types of actions would constitute a "no further effect or impact to a wetland area" and no further action would be required with regards to EO 11990 or permitting.

For those projects that could potentially cause adverse impact to wetland areas, consultation with the USACOE (and any regulatory actions needed) would be required prior to any construction activity occurring.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

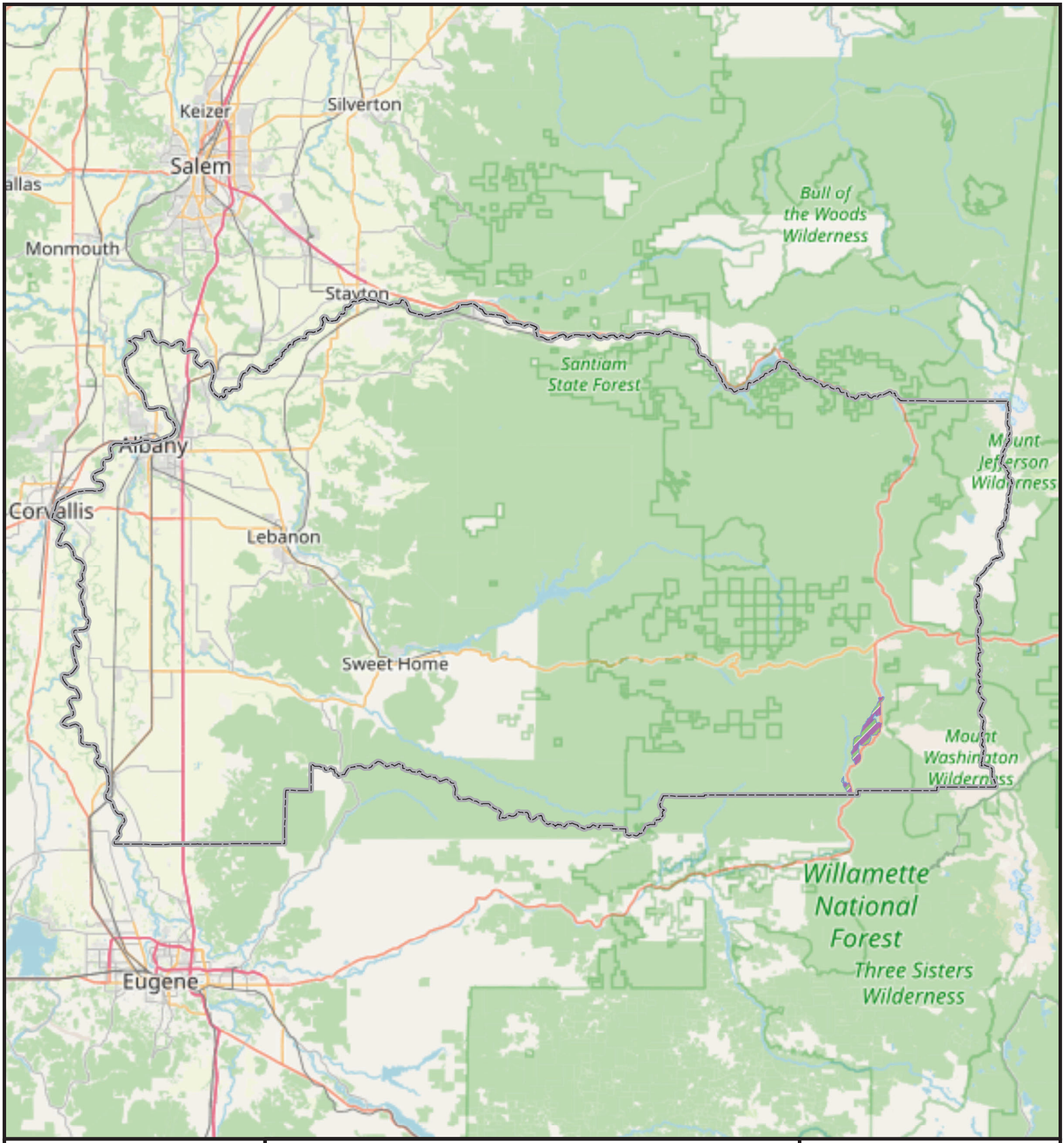
Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

ATTACHMENT P

Wild and Scenic Rivers



TETRA TECH

Tier 1 Environmental Review
Wild and Scenic Rivers
Map
Linn County

Author: AK

Date: 3/30/2023

County Boundary

Wild and Scenic Rivers

Source: NWSR

N

0 5 10

Miles

0 12.5 25

Kilometers

Oregon

Kate Brown, Governor

Parks and Recreation Department
725 Summer St. NE, Suite C
Salem, OR 97301-1271
(503) 986-0980
Fax (503) 986-0794
www.oregonstateparks.org

November 29, 2022

Alex Campbell, Chief External Affairs Officer
Oregon Housing and Community Services
725 Summer St NE Suite E
Salem, OR97301

RE: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program

Dear Mr. Campbell,

Thank you for reaching out to Oregon Parks and Recreation Department (OPRD) with information about the Homeowner Assistance and Reconstruction Program for Disaster Recovery following the 2020 wildfires. Federal disaster relief funding will be available in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn and Marion counties to help finance repair or reconstruction of homes lost to fire. Some of these properties may overlap designated Oregon State Scenic Waterways. Projects within the State Scenic Waterway boundaries shall notify OPRD in advance of their proposed property improvements. This notification processes compliments County planning and building permits; as such if a homeowner is required to obtain county approval for their property improvements, they should also expect to contact OPRD's State Scenic Waterway Program staff.

You noted that all properties will be mapped at a site-specific level to determine proximity to designated waterways. We have conducted a course level mapping exercise to show overlap between the 2020 fire areas and designated waterways and we will provide you with this data to assist in this endeavor. Once individual project sites are identified, please notify OPRD staff of properties that overlap and whom we might expect to be applying for scenic waterway reviews regarding their property improvements. Notifications may be required for rehabilitation and reconstruction activities depending on the property and project specifics. OPRD will determine which applications require formal notification, but it is incumbent upon the property owner to communicate the proposed improvements in advance of the work to ensure that they are following the State Scenic Waterway regulations.

The following rivers appear to have overlap with 2020 wildfires and the relevant contact information is provided below.

- Clackamas, N. Fork Clackamas, Molalla: Ryan Sevey (Ryan Sevey@oregon.gov)
- Little N. Fork of the Santiam, South Fork McKenzie, N. Umpqua River: Sean Stewart (Sean.Stewart@oregon.gov)

Requirements vary based on the designated stretch of the waterway impacted by the reconstruction and rehabilitation activities. Projects require review based on applicable rules including general rules for all scenic waterways and rules specific to each particular designated section of river and the requirement for projects to be consistent with local county regulations. Construction of residential structures lost to fire is permissible provided the structure meets the other requirements as described in rule and meets County Ordinance. However, notification and review by OPRD is require

Review is generally required due to the variable details for each river segment, including but not limited to, the following types of work:

- Vegetation removal.
- Changes to exterior materials and colors. These must be reviewed to ensure they meet the criteria for muted tones that blend into the natural surroundings. No large areas shall be finished with white or bright colors or reflective materials.
- Construction (including re-construction) of structures. Proposed structures must not exceed 30-feet, which is the maximum height allowed. All structures shall be designed and constructed so that little or no soil is left exposed when construction is complete. In no case shall debris. silt or other materials be allowed to reach the waters of the State Scenic Waterways.

PRD has been reviewing and approving Scenic Waterway notifications for properties with homes lost by 2020 wildfires and is committed to expediting and working closely with homeowners and counties to facilitate review of these projects in a timely manner.

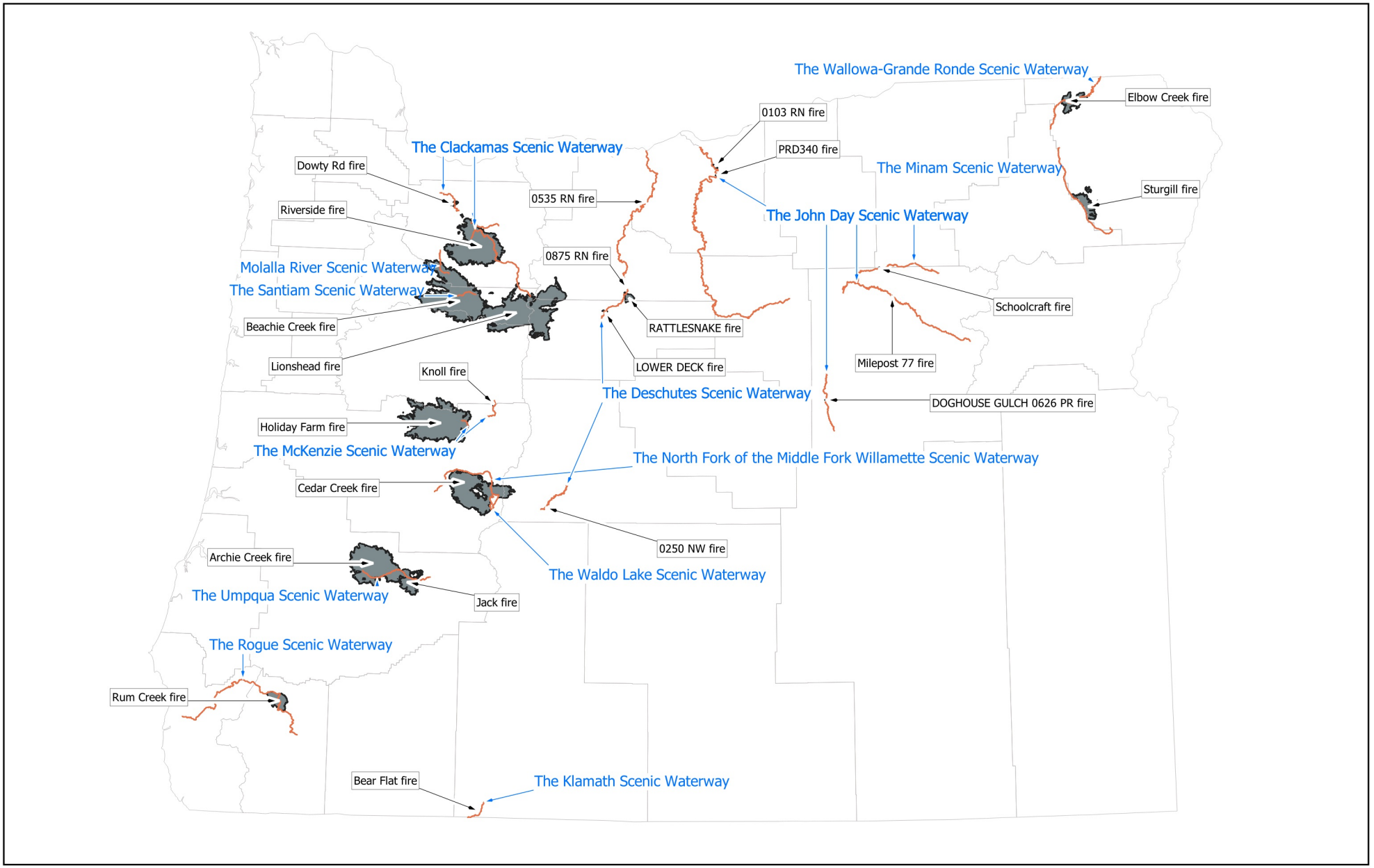
Sincerely,

Laurel Hillmann (Dec 2, 2022 08:15 PST)

Laurel Hillmann
Natural Resource Specialist

2020-2022 Fires and State Scenic Waterways

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

0 25 50 mi

EPSG:6557
NAD83(2011) / Oregon GIC Lambert (ft)

N

NJB 11/22/2022
C:\Users\noel.bacheller\Documents\2020 fires in scenic waterways.qgz

From: HILLMANN Laurel * OPRD
To: CAMPBELL Alex J * HCS; Dahlgren, Angela
Cc: SPARKS Ryan * OPRD; RODRIGUE Guy * OPRD; SEVEY Ryan * OPRD; STEWART Sean * OPRD
Subject: Tiered Environmental Review and Scenic Waterways
Date: Friday, December 2, 2022 11:30:51 AM
Attachments: image002.png
OHCS_letter_scenicwaterways_Dec22_encrypted_.pdf
all 2020-2022 wildfires touching the quarter mile buffer on scenic waterways.pdf
2020 fires intersection with scenic waterway classification area in 8 counties.kmz

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Good morning,
Please see the attached letter in response to the request from last month. The relevant scenic waterway staff contacts are included in the letter. Attached you will also find the data referenced in the letter along with a map showing overlap between recent fires and scenic waterways.
Best,
Laurel

Laurel Hillmann | Ocean Shore Resource Coordinator
Cell: 503.857.9000
Beach/waterways/plovers
#oregonstateparks #oregonstateparks100

Dahlgren, Angela

From: CATTO Chelsea * HCS <Chelsea.CATTO@hcs.oregon.gov>
Sent: Thursday, November 3, 2022 5:47 PM
To: HILLMANN Laurel * OPRD
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: Tiered Environmental Review notification of the Homeowner Assistance and Reconstruction Program under CDBG-Disaster Recovery
Attachments: Parks and Recreation_WS Rivers_Oregon_REVISION.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Dear Ms. Hillmann,

Attached, please find a letter regarding a tiered environmental review for OHCS' 2022 Community Development Block Grant Disaster Recovery Homeowner Assistance and Reconstruction Program. Detailed information on how to respond is included in the letter.

Thank you!

OREGON HOUSING and COMMUNITY SERVICES

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
Chelsea.Catto@hcs.oregon.gov

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503-986-2000 | www.oregon.gov/OHCS

November 3, 2022

Laurel Hillmann
Oregon Parks and Recreation Department
725 Summer Street NE, Suite C
Salem, OR 97301
Transmitted via email: laurel.hillmann@oprd.oregon.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Hillmann:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion).

The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program to support long-term recovery efforts in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible. The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties. For the NEPA review of the Programs, OHCS intends to perform a tiered environmental review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site-specific reviews in areas of potential impacts.

As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the Oregon Parks and Recreation Department with notice of the **Homeowner Assistance and Reconstruction Program:** Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

The proposed single-family housing project activities for the ReOregon program will not involve water resource projects or any work on or directly affecting any federally designated Wild and Scenic River, rivers listed on the Nationwide Rivers Inventory (NRI), or Oregon State Scenic Waterways, nor will they result in significant adverse impacts to the values for which the listed rivers were designated. The proposed activities will be confined to existing residential lots and will not disturb the bed or banks of these rivers. All properties will be mapped at the site-specific level to determine their proximity to federally designated Wild and Scenic Rivers, rivers listed on the Nationwide Rivers Inventory (NRI), and Oregon State Scenic Waterways.

We believe that notification is not required for rehabilitations under Oregon Parks and Recreation Department Chapter 736 Division 40 Rules of Land Management 736-040-0035 (4). All rehabilitations funded through ReOregon on related adjacent lands which can be seen from the waters within a scenic waterway shall follow the guidelines set forth in 736-040-0035 (7). We believe that notification procedures will be required for reconstruction activities located within ¼ mile of the bank and visible from Oregon's designated state scenic waterways as listed in 736-040-0035 (10). If you envision situations that might warrant Oregon State Parks consultation (or coordination), other than reconstruction activities listed above, please identify the specific conditions that would trigger the need for such consultation.

With regards to work performed on a residential lot in proximity to a federally designated Wild and Scenic River, rivers listed on the Nationwide Rivers Inventory (NRI), or Oregon State Scenic Waterways, all construction activities should take care to avoid any unnecessary clearing of native riparian vegetation such that the local scenery remains intact. Further, for all projects where construction-derived runoff has the potential to enter the waterway, appropriate sediment control measures would be required and listed in the site-specific environmental review. Sediment control measures will include, but are not limited to, the use of straw bales and silt fences.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information, please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,



Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

From: CATTO Chelsea * HCS
To: susan_rosebrough@nps.gov
Cc: FLYNN Ryan * HCS; Dahlgren, Angela
Subject: 2022 CDBG-DR Tiered Environmental Review notice
Date: Wednesday, August 3, 2022 8:17:40 PM
Attachments: National Parks Service_Oregon.pdf

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Attached, please find a letter regarding tiered environmental reviews for OHCS' 2022 Community Development Block Grant Disaster Recovery programs. Detailed information on how to respond is included in the letter.

Thank you

Chelsea Catto (she/her/hers)
Chief Policy Officer – Disaster Recovery and Resilience
Oregon Housing & Community Services
725 Summer St NE, Suite B | Salem, OR 97301
Cell: 503.949.3063
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Please note: I am currently teleworking. I have frequent access to both phone and e-mail and will respond to your message in a timely manner.

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725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

August 3, 2022

Susan Rosebrough
Regional Coordinator
National Park Service
333 Bush Street, Suite 500
San Francisco, CA 94104
Transmitted via email: susan_rosebrough@nps.gov

Re: Tiered Environmental Review of the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program (to replenish damaged rental housing stock), and the Homeownership Opportunities Program (to replace destroyed housing stock), 2022 Community Development Block Grant Disaster Recovery

Dear Ms. Rosebrough:

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the unmet recovery needs. Funding from DR-4562 will be utilized in the eight most impacted counties in the State of Oregon (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The State of Oregon's Housing and Community Services (OHCS) is the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts. The 2022 CDBG-DR program, known as ReOregon, will provide grants under the CDBG-DR funding umbrella. OHCS has established the Homeowner Assistance and Reconstruction Program, the Accessory Dwelling Unit Pilot Program, and the Home Ownership Opportunities Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. ReOregon is designed to ensure that the housing needs of very-low, low- and moderate-income households and vulnerable populations are addressed to the greatest extent feasible.

The Program will allow affected residents to apply directly to the State for gap financing grants to repair or reconstruct their single-family homes, to construct an accessory dwelling unit (ADU) on their existing parcel to be maintained as an LMI rental unit, and first-time buyer home ownership opportunities.

In accordance with 24 CFR Part 58, OHCS is facilitating the federally required environmental reviews for ReOregon in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

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As specified in the Draft State of Oregon, May 2022 *Action Plan for Disaster Recovery*, the best currently available data suggests that approximately 4,300 homeowners may seek funding through this program. Individual project sites will be reviewed on a site-by-site basis once those sites are identified.

To expedite environmental review while complying with 24 CFR Part 58 and other applicable laws and regulations, OHCS seeks to provide the National Park Service with notice of the program for the following types of projects:

Homeowner Assistance and Reconstruction Program: Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes).

- Repairs to disaster-damaged primary structures.
- Reconstruction of the disaster-damaged primary structure inside original footprint.
- Reconstruction of the disaster-damaged primary structure outside original footprint.
- Repair and replacement of manufactured housing units.
- Acquisition.
- Upgrades required to meet current building code (including the 2021 Energy Efficiency Specialty Code).
- Replacement of fire damaged or destroyed necessary equipment, such as HVAC units or septic systems.
- Handicap accessibility features.
- Site work to meet Oregon Wildland Urban Interfaces standards for homes in high-risk areas.
- Fire hardening.
- Lead-based paint and asbestos abatement (if applicable); and,
- Elevation (if applicable).

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Homeownership Opportunities Program: The State will help replace destroyed housing stock with affordable homeownership opportunities for disaster-impacted first-time homebuyers.

- Newly constructed homes on undeveloped parcels (to replace destroyed housing stock), and;
- Prefabricated homes placed in qualified pre-existing manufactured housing parks (to replace destroyed housing stock).

The proposed single-family housing project activities for the ReOregon program will not involve water resource projects or any work on or directly affecting any Federal Wild and Scenic River or rivers on the National Rivers Inventory, nor will they result in significant adverse impacts to the values for which the listed rivers were designated. The proposed activities will be confined to residential lots and will not

disturb the bed or banks of these rivers. Therefore, we do not believe that coordination or consultation is required for the site-specific environmental reviews for project locations in these counties. If you envision situations that might warrant National Park Service consultation (or coordination), please identify the specific conditions that would trigger the need for such consultation.

With regards to work performed on a residential lot in proximity to a federally designated Wild and Scenic River or a river listed on the Nationwide Rivers Inventory (NRI), all construction activities should take care to avoid any unnecessary clearing of native riparian vegetation such that the local scenery remains intact. Further, for all projects where construction-derived runoff has the potential to enter the waterway, appropriate sediment control measures would be required and listed in the site-specific environmental review. Sediment control measures will include, but are not limited to, the use of straw bales and silt fences.

A copy of this letter is also being sent to the Oregon Parks and Recreation Department.

OHCS is dedicated to providing disaster assistance to people in need of single-family housing as a result of the 2020 wildfires in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter to Angela Dahlgren at (angela.dahlgren@tetratech.com).

Thank you in advance for your assistance. If you have any questions or would like additional information please contact Alex Campbell, Chief External Affairs Officer, Disaster Recovery and Resilience at ReOregon@hcs.oregon.gov or Angela Dahlgren, CDBG-DR Program Manager, Tetra Tech Disaster Recovery (TDR) Division at (angela.dahlgren@tetratech.com).

Sincerely,

Ryan Flynn, Assistant Director
Oregon Housing and Community Services
Disaster Recovery & Resilience
(503) 986-2000
ryan.flynn@hcs.oregon.gov

cc: Angela Dahlgren, CDBG-DR Program Manager
Tetra Tech Disaster Recovery (TDR) Division
(386) 216-5568
angela.dahlgren@tetratech.com

ATTACHMENT Q

Environmental Justice

EJScreen Report (Version 2.11)

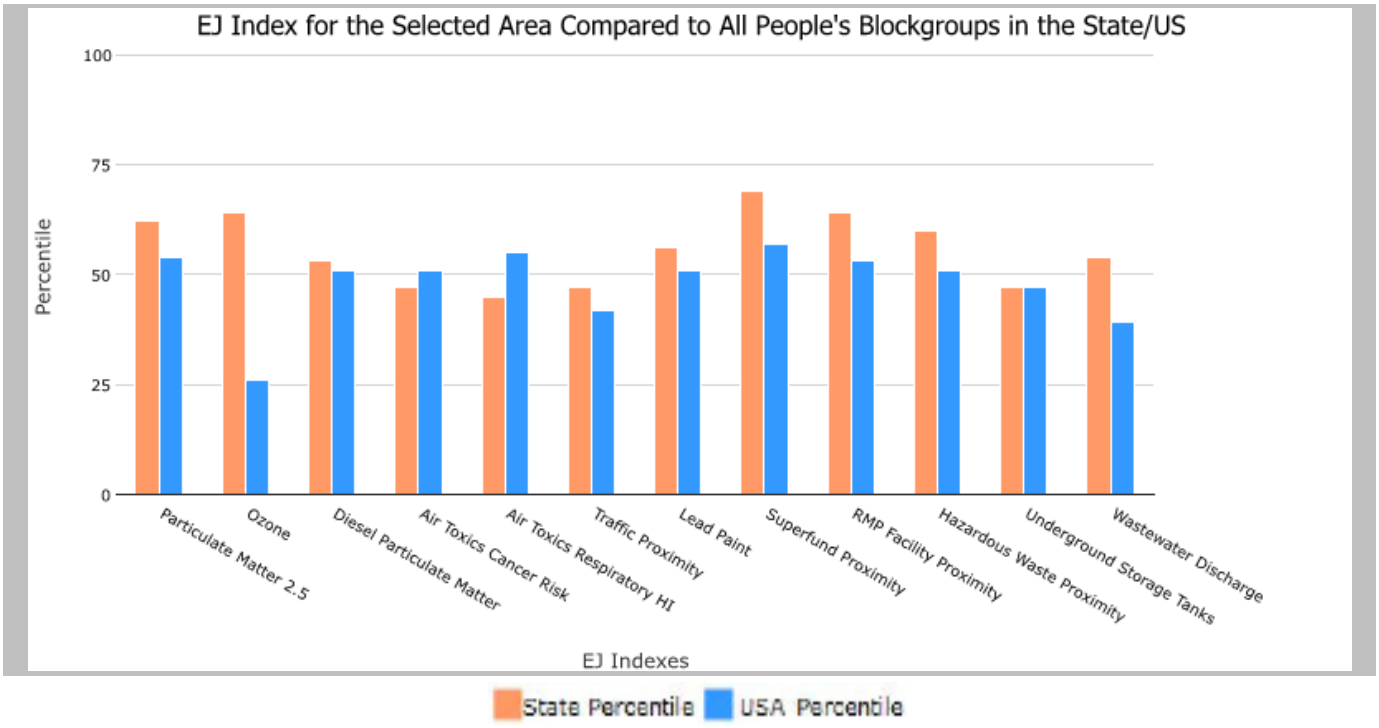
County: Linn, OREGON, EPA Region 10

Approximate Population: 127,216

Input Area (sq. miles): 2308.59

Selected Variables	State Percentile	USA Percentile
Environmental Justice Indexes		
Particulate Matter 2.5 EJ index	62	54
Ozone EJ index	64	26
Diesel Particulate Matter EJ index*	53	51
Air Toxics Cancer Risk EJ index*	47	51
Air Toxics Respiratory HI EJ index*	45	55
Traffic Proximity EJ index	47	42
Lead Paint EJ index	56	51
Superfund Proximity EJ index	69	57
RMP Facility Proximity EJ index	64	53
Hazardous Waste Proximity EJ index	60	51
Underground Storage Tanks EJ index	47	47
Wastewater Discharge EJ index	54	39

EJ Indexes - The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.



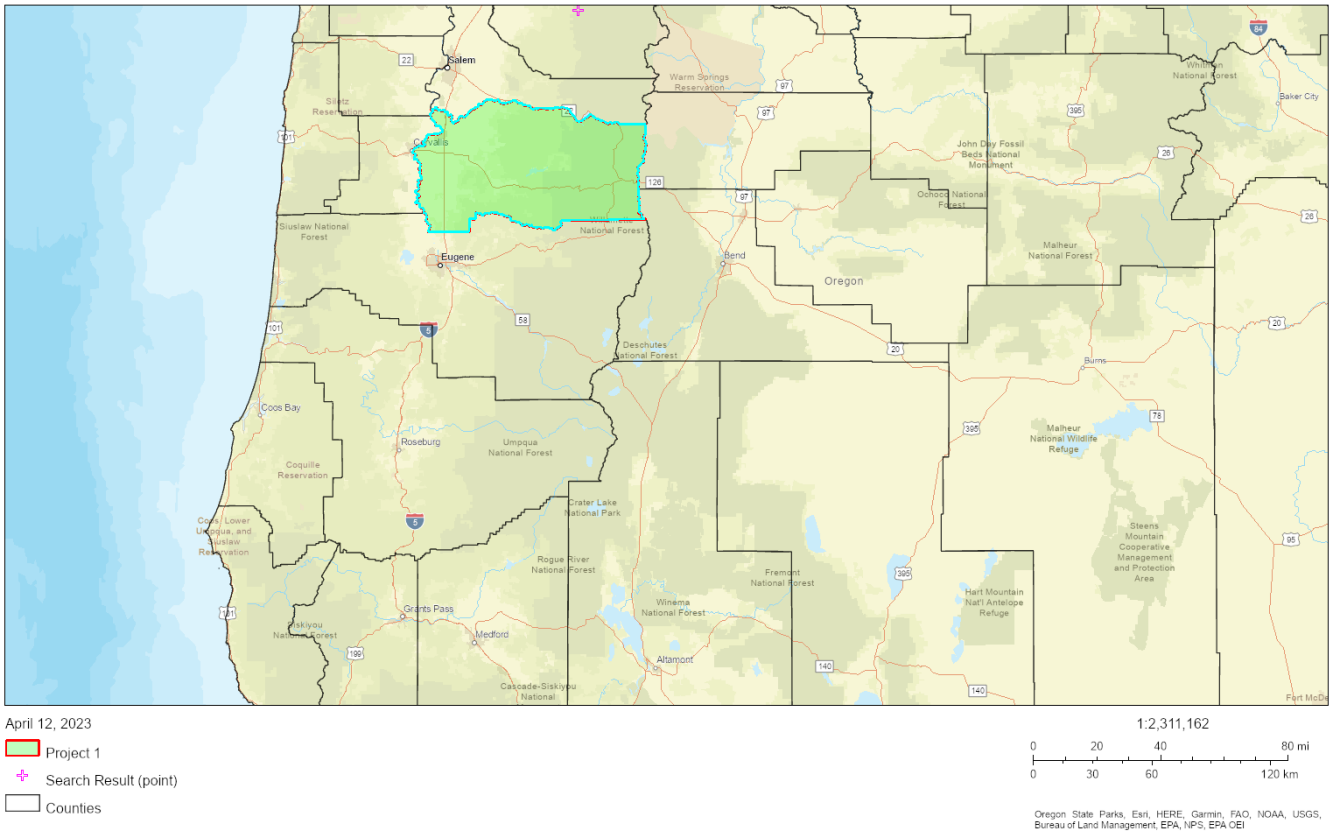
*Diesel particular matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

EJScreen Report (Version 2.11)

County: Linn, OREGON, EPA Region 10

Approximate Population: 127,216

Input Area (sq. miles): 2308.59



Sites reporting to EPA	
Superfund NPL	1
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	13

EJScreen Report (Version 2.11)

County: Linn, OREGON, EPA Region 10

Approximate Population: 127,216

Input Area (sq. miles): 2308.59

Selected Variables	Value	State Avg.	%ile in State	USA Avg.	%ile in USA
Pollution and Sources					
Particulate Matter 2.5 (µg/m^3)	8.72	8.69	48	8.67	54
Ozone (ppb)	37.8	37	68	42.5	20
Diesel Particulate Matter* (µg/m^3)	0.27	0.337	47	0.294	50-60th
Air Toxics Cancer Risk* (lifetime risk per million)	30	32	59	28	80-90th
Air Toxics Respiratory HI*	0.42	0.47	49	0.36	80-90th
Traffic Proximity (daily traffic count/distance to road)	260	660	54	760	52
Lead Paint (% Pre-1960 Housing)	0.27	0.24	59	0.27	54
Superfund Proximity (site count/km distance)	0.13	0.081	83	0.13	74
RMP Facility Proximity (facility count/km distance)	2	0.78	88	0.77	90
Hazardous Waste Proximity (facility count/km distance)	1.6	1.6	67	2.2	65
Underground Storage Tanks (count/km^2)	2.1	3.8	55	3.9	60
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.0048	0.0046	87	12	63
Socioeconomic Indicators					
Demographic Index	24%	27%	50	35%	41
Supplemental Demographic Index	14%	13%	63	15%	56
People of Color	16%	25%	40	40%	33
Low Income	33%	29%	60	30%	58
Unemployment Rate	7%	5%	69	5%	70
Limited English Speaking Households	1%	2%	67	5%	59
Less Than High School Education	10%	9%	67	12%	57
Under Age 5	6%	5%	64	6%	60
Over Age 64	19%	18%	56	16%	63
Low Life Expectancy	20%	19%	64	20%	56

EJScreen is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJScreen outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

EJScreen Report (Version 2.11)

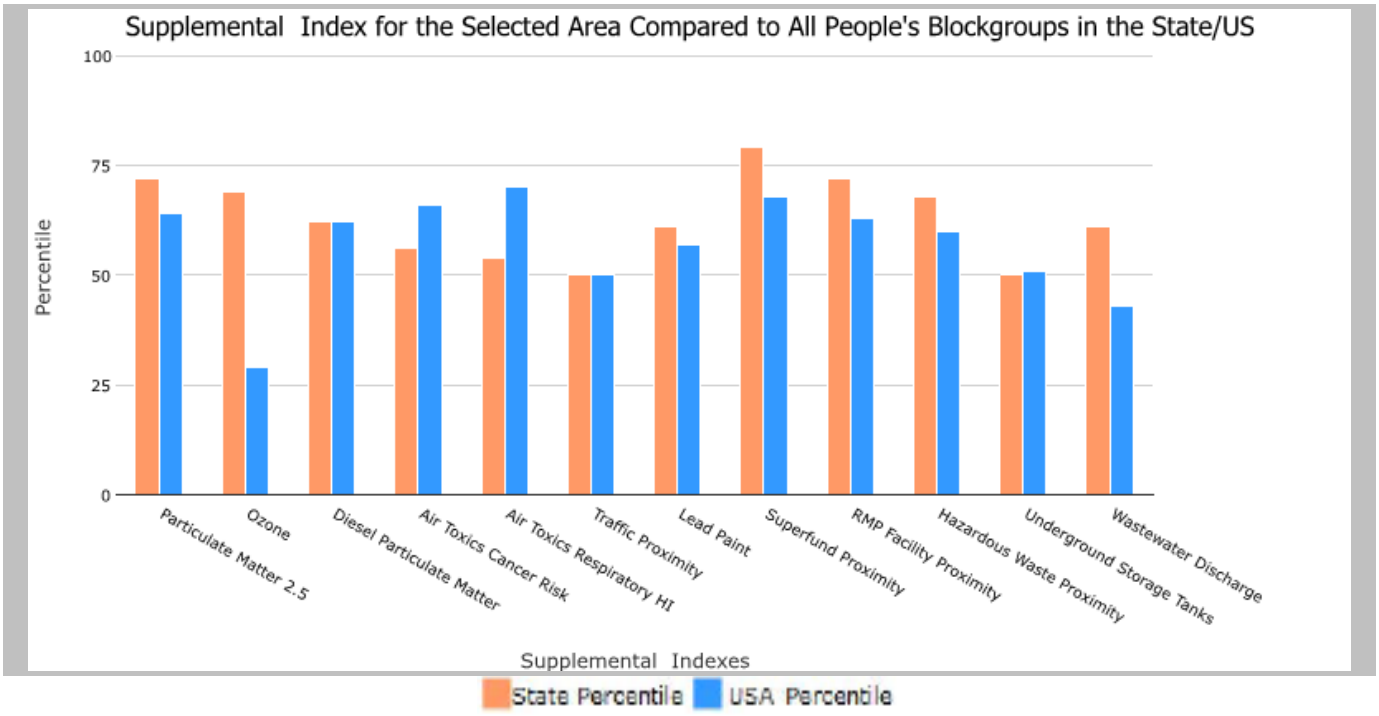
County: Linn, OREGON, EPA Region 10

Approximate Population: 127,216

Input Area (sq. miles): 2308.59

Selected Variables	State Percentile	USA Percentile
Supplemental Indexes		
Particulate Matter 2.5 Supplemental Index	72	64
Ozone Supplemental Index	69	29
Diesel Particulate Matter Supplemental Index*	62	62
Air Toxics Cancer Risk Supplemental Index*	56	66
Air Toxics Respiratory HI Supplemental Index*	54	70
Traffic Proximity Supplemental Index	50	50
Lead Paint Supplemental Index	61	57
Superfund Proximity Supplemental Index	79	68
RMP Facility Proximity Supplemental Index	72	63
Hazardous Waste Proximity Supplemental Index	68	60
Underground Storage Tanks Supplemental Index	50	51
Wastewater Discharge Supplemental Index	61	43

Supplemental Indexes - The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on low-income, limited English speaking, less than high school education, unemployed, and low life expectancy populations with a single environmental indicator.



This report shows the values for environmental and demographic indicators, EJScreen indexes, and supplemental indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. For additional information, see: www.epa.gov/environmentaljustice.

EJSCREEN ACS Summary Report

Location: Linn County
Ring (buffer): 0-mile radius
Description:

Summary of ACS Estimates	2016 - 2020
Population	127,216
Population Density (per sq. mile)	56
People of Color Population	19,913
% People of Color Population	16%
Households	48,290
Housing Units	50,936
Housing Units Built Before 1950	9,079
Per Capita Income	27,820
Land Area (sq. miles) (Source: SF1)	2,289.28
% Land Area	99%
Water Area (sq. miles) (Source: SF1)	19.33
% Water Area	1%

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	127,216	100%	0
Population Reporting One Race	120,308	95%	2,483
White	112,978	89%	855
Black	636	0%	163
American Indian	1,152	1%	299
Asian	1,407	1%	225
Pacific Islander	146	0%	52
Some Other Race	3,989	3%	889
Population Reporting Two or More Races	6,908	5%	766
Total Hispanic Population	11,899	9%	0
Total Non-Hispanic Population	115,317		
White Alone	107,303	84%	252
Black Alone	627	0%	163
American Indian Alone	935	1%	248
Non-Hispanic Asian Alone	1,387	1%	222
Pacific Islander Alone	146	0%	52
Other Race Alone	226	0%	186
Two or More Races Alone	4,693	4%	416
Population by Sex			
Male	62,740	49%	136
Female	64,476	51%	136
Population by Age			
Age 0-4	7,658	6%	100
Age 0-17	28,581	22%	816
Age 18+	98,635	78%	1,578
Age 65+	23,643	19%	952

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020 .

EJSCREEN ACS Summary Report

Location: Linn County
Ring (buffer): 0-mile radius
Description:

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	88,624	100%	135
Less than 9th Grade	2,714	3%	420
9th - 12th Grade, No Diploma	6,281	7%	638
High School Graduate	25,915	29%	1,185
Some College, No Degree	27,765	31%	1,224
Associate Degree	8,657	10%	657
Bachelor's Degree or more	17,292	20%	998
Population Age 5+ Years by Ability to Speak English			
Total	119,558	100%	6
Speak only English	109,766	92%	684
Non-English at Home[1+2+3+4]	9,792	8%	665
[1]Speak English "very well"	6,451	5%	677
[2]Speak English "well"	1,746	1%	357
[3]Speak English "not well"	1,150	1%	282
[4]Speak English "not at all"	445	0%	191
[3+4]Speak English "less than well"	1,595	1%	339
[2+3+4]Speak English "less than very well"	3,341	3%	492
Linguistically Isolated Households*			
Total	535	100%	260
Speak Spanish	467	87%	254
Speak Other Indo-European Languages	28	5%	23
Speak Asian-Pacific Island Languages	40	7%	39
Speak Other Languages	0	0%	30
Households by Household Income			
Household Income Base	48,290	100%	477
< $15,000	4,212	9%	499
$15,000 - $25,000	4,521	9%	493
$25,000 - $50,000	11,824	24%	851
$50,000 - $75,000	9,929	21%	746
$75,000 +	17,804	37%	942
Occupied Housing Units by Tenure			
Total	48,290	100%	477
Owner Occupied	32,082	66%	775
Renter Occupied	16,208	34%	751
Employed Population Age 16+ Years			
Total	101,876	100%	258
In Labor Force	60,491	59%	1,033
Civilian Unemployed in Labor Force	4,116	4%	654
Not In Labor Force	41,385	41%	1,080

Data Note: Datail may not sum to totals due to rounding. Hispanic population can be of anyrace.
N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)
*Households in which no one 14 and over speaks English "very well" or speaks English only.

EJSCREEN ACS Summary Report

Location: Linn County
Ring (buffer): 0-mile radius
Description:

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	119,558	100%	6
English	109,766	92%	747
Spanish	7,597	6%	588
French, Haitian, or Cajun	288	0%	127
German or other West Germanic	531	0%	193
Russian, Polish, or Other Slavic	146	0%	94
Other Indo-European	237	0%	160
Korean	26	0%	34
Chinese (including Mandarin, Cantonese)	232	0%	116
Vietnamese	14	0%	24
Tagalog (including Filipino)	200	0%	170
Other Asian and Pacific Island	342	0%	164
Arabic	56	0%	81
Other and Unspecified	123	0%	96
Total Non-English	9,792	8%	747

Data Note: Detail may not sum to totals due to rounding. Hispanic popultion can be of any race.
N/A meansnot available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020.
*Population by Language Spoken at Home is available at the census tract summary level and up.

Attachment R

Combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF) and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland

Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland
Oregon Eight Disaster-Declared Impacted Counties

October 15, 2023
Oregon Housing and Community Services (OHCS)
Disaster Recovery and Resilience
725 Summer St., NE, Suite B
Salem, OR 97301

These notices shall satisfy ***three*** separate but related procedural requirements for activities to be undertaken by OHCS.

REQUEST FOR RELEASE OF FUNDS (RROF):
On or about November 4, 2023 Oregon Housing and Community Services (OHCS) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant -Disaster Recovery (CDBG-DR) funds under Public Law 117-43 of the Supplemental Appropriations for Disaster Relief Act, 2022, as amended, to undertake a project known as Oregon **Homeowner Assistance and Reconstruction Program** for the purpose of providing grants to predominantly very low, low, and moderate income homeowners whose primary residence was damaged or destroyed by the 2020 wildfires that occurred in the most impacted and distressed areas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). Oregon was allocated $422,286, 000 under DR-4562. OHCS will request the release of **$198,551,591** of the total funds to be used for the Homeowner Assistance and Reconstruction Program in Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion counties.

FINDING OF NO SIGNIFICANT IMPACT (FONSI):
OHCS has determined that the Homeowner Assistance and Reconstruction Program will have no significant impact on the human environment. To address environmental impacts, the Environmental Review Record (ERR) includes mitigation measures and conditions. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in each County's Environmental Review Record (ERR) on file at Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301 and may be examined or copied weekdays **9:00 AM to 5:00 PM**. In addition, the ERRs can be found at https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

FINAL NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN/WETLAND:
This is to give notice that OHCS has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, and Executive Order 11990-Protection of Wetlands. The activity is funded under the Oregon Homeowner Assistance and Reconstruction Program under HUD Grant: B-21-DZ-41-0001 (PL 117-43). The proposed project(s) will be located at multiple locations throughout the eight disaster-declared Oregon Counties (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn, and Marion). The exact location of site-specific projects will be determined at a later date. OHCS allocation of the CDBG-DR funds will be used to provide decent, safe, and sanitary housing in the areas most affected by the 2020 wildfires through the Homeowner Assistance and Reconstruction Program for the purpose of rehabilitating and/or reconstructing single-family homes. Rehabilitation activities may include; repair or replacement of structure elements such as roof, windows, doors, sheetrock, plumbing, electrical fixtures, HVAC, fire hardening, and lead based paint and asbestos abatement if necessary. Reconstruction activities

will include demolition of the original fire-damaged unit (if structure remains), site preparation, reconstruction of the single-family dwelling, and elevation if required. Manufactured housing unit (MHU) replacement will include demolishing original MHU on site (if structure remains), hauling away debris and placing a new MHU in previous MHU location. Since the program area is County-wide, some selected sites may be in the 100-year floodplain and/or adjacent to a wetland. As noted in the OHCS Action Plan, based on FEMA Individual Assistance data, it is estimated that fewer than 10 properties destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. However, it is likely that there are more than 10 impacted properties in the SFHA. No work will be allowed in existing wetlands. However, properties may be wetland adjacent. The estimated number of homes to be included in the program and approximate floodplain acres in each impacted County are listed below.

Impacted County	Approximate Destroyed or Damaged Single-Family Homes	Approximate Total County (Acres)	Effective FIRM 100-Year Floodplain (Acres)	Preliminary FIRM 100-Year Floodplain (Acres)	Combined FIRM and PFIRM Total 100-Year Floodplain (Acres)	Approximate County Acres in 100-Year Floodplain (%)
Clackamas	62	1,206,348	23,145.27		23,145.27	**1.92%**
Douglas	138	3,285,411	69,960.36		69,960.36	**2.13%**
Jackson	2,180	1,792,789	23,721.58		23,721.58	**1.32%**
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	**0.15%**
Lane	615	3,023,558	142,499.90	18,792.89	161,292.79	**5.33%**
Lincoln	288	763,111	37,935.92		37,935.92	**4.97%**
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	**7.67%**
Marion	633	762,636	54,591.56		54,591.56	**7.16%**

Four alternatives were considered: Alternative 1 (Selected Alternative): Perform Home Rehabilitation/Reconstruction and MHU Replacement in the 100-year floodplain, but not in the floodway. Alternative 2: All Single-family homes selected for the Program must be outside the 100-year floodplain. Alternative 3: Relocating homes outside the 100-year floodplain, and Alternative 4: No-Action Alternative. It is OHCS determination that Alternative 1 is the only viable alternative. This is due to: 1) the need to provide relief from the effects of the 2020 wildfires; 2) the desire to not displace residents who prefer to remain at their current location; and 3) the expected ability to mitigate and minimize impacts on human health, public property, and floodplain/wetland values since all rehabilitation and reconstruction work will involve previous existing homes on existing lots in established neighborhoods.

All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). Construction adjacent to wetlands will require implementation of best management practices (BMPs) to prevent impacts to water quality and wetlands ecosystems. For work adjacent to wetlands, construction teams will install silt fencing and/or hay bales between the work site and wetland area to prevent impacts from soil erosion and stormwater runoff into wetland areas.

OHCS has reevaluated the alternatives to building in the floodplain and adjacent to wetlands and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and 11990, are available for public inspection, review and

copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains/wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS:
Any individual, group, or agency may submit written comments on the ERR to Oregon Housing and Community Services (OHCS). OHCS encourages electronic submittal of comments at ReOregon@hcs.oregon.gov All comments received by November 3, 2023, will be considered by OHCS prior to authorizing submission of a request for release of funds from HUD. **Comments should specify which ReOregon Notice they are addressing** (RROF, FONSI, or Final Floodplain Notice). As an alternative, comments may be submitted on paper to OHCS, to Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

ENVIRONMENTAL CERTIFICATION:
OHCS certifies to HUD that Ryan Flynn in his capacity as Director, Disaster Recovery & Resilience at OHCS and Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the OHCS to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS:
HUD will accept objections to its release of fund and OHCS's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of OHCS; (b) OHCS has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Attention: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, or via e-mail at Portland_RROF@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Ryan Flynn, Director
Disaster Recovery & Resilience
Oregon Housing and Community Services
October 15, 2023

Aviso de Hallazgo de Impacto Significativo, Aviso de Intención de Solicitar la Liberación de Fondos, y Aviso Final y Revisión Pública de una Actividad Propuesta en una Llanura de Inundación/Humedal de 100 años
Ocho Condados de Oregón Declarados Afectados por Desastre

15 de octubre de 2023
Agencia de Vivienda y Servicios Comunitarios Oregón (OHCS, por sus siglas en inglés)
Recuperación y Resiliencia ante Desastres
725 Summer St., NE, Suite B
Salem, OR 97301

Estos avisos deberán satisfacer ***tres*** requisitos de procedimiento separados pero relacionados para las actividades a llevar a cabo por la OHCS.

SOLICITUD DE LIBERACIÓN DE FONDOS (RROF, por sus siglas en inglés):
En o alrededor del 4 de noviembre de 2023, la Agencia de Vivienda y Servicios Comunitarios de Oregón (OHCS, por sus siglas en inglés) presentará una solicitud al Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés) para la liberación de fondos de la Subvención en Bloque para el Desarrollo Comunitario - Recuperación de Desastres (CDBG-DR, por sus siglas en inglés) bajo la Ley Pública 117-43 de la Ley de Asignaciones Suplementarias para el Alivio de Desastres de 2022, según enmendada, para llevar a cabo un proyecto conocido como **Programa de Asistencia y Reconstrucción para Propietarios de Viviendas** de Oregón con el fin de proveer subvenciones a propietarios de viviendas, predominantemente de ingresos muy bajos, bajos y moderados, cuya residencia principal fue afectada o destruida por los incendios forestales de 2020 que ocurrieron en las áreas más desfavorecidas y afectadas (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). Oregón tuvo una adjudicación de $422,286,000 bajo DR-4562. La OHCS solicitará la liberación de **$198,551,591** del total de fondos para ser utilizados en el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas en los condados de Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion.

HALLAZGO DE NO IMPACTO SIGNIFICATIVO (FONSI, por sus siglas en inglés):
La OHCS ha determinado que el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas no tendrá un impacto significativo en el medio ambiente humano. Para abordar los impactos ambientales, el Registro de Revisión Ambiental (ERR, por sus siglas en inglés) incluye medidas y condiciones de mitigación. Por lo tanto, no se requiere una Declaración de Impacto Ambiental bajo la Ley de Política Ambiental Nacional de 1969 (NEPA, por sus siglas en inglés). Información adicional del proyecto se encuentra en el Registro de Revisión Ambiental (ERR) de cada condado en los archivos de la OHCS localizada en 725 Summer St., NE, Suite B, Salem, OR 97301. El ERR puede examinarse o copiarse de lunes a viernes **de 9:00 a.m. a 5:00 p.m.** Por otro lado, los ERR se encuentran disponibles en https://www-auth.oregon.gov/ohcs/disaster-recovery/Pages/ReOregon-Environmental-Review.aspx

AVISO FINAL Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN UNA LLANURA ALUVIAL/HUMEDAL DE 100 AÑOS:
La presente sirve para dar aviso de que la OHCS ha llevado a cabo una evaluación según lo requerido por la Orden Ejecutiva 11988, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C Procedimientos para Tomar Determinaciones sobre el Manejo de Llanuras Aluviales, y la Orden Ejecutiva 11990-Protección de Humedales. La actividad está financiada por el Programa de Asistencia y Reconstrucción para Propietarios de Viviendas de Oregón bajo la Subvención de HUD: B-21-DZ-41-0001 (PL 117-43). Los proyectos propuestos se ubicarán en múltiples ubicaciones a lo largo de los ocho

condados de Oregón declarados como desastre (Clackamas, Douglas, Jackson, Klamath, Lane, Lincoln, Linn y Marion). La ubicación exacta de los proyectos específicos del sitio se determinará en una fecha posterior. La asignación de la OHCS de los fondos CDBG-DR se utilizará para proporcionar viviendas decentes, seguras e higiénicas en las áreas más afectadas por los incendios forestales de 2020 a través del Programa de Asistencia y Reconstrucción para Propietarios de Viviendas con el propósito de rehabilitar y/o reconstruir viviendas unifamiliares. Las actividades de rehabilitación pueden incluir: reparación o reemplazo de elementos estructurales como techo, ventanas, puertas, placas de yeso, plomería, accesorios eléctricos, HVAC, endurecimiento contra incendios, y eliminación de pintura a base de plomo de asbestos de ser necesario. Las actividades de reconstrucción incluirán la demolición de la unidad original dañada por el fuego (si queda la estructura), la preparación del sitio, la reconstrucción de la vivienda unifamiliar y la elevación de la estructura si es necesario. El reemplazo de unidades de vivienda prefabricadas (MHU, por sus siglas en inglés) incluirá la demolición de la MHU original en el sitio (si la estructura permanece), el recogido de escombros y la colocación de una nueva MHU en la misma ubicación de la anterior. Dado que el área del programa abarca todo el condado, algunos sitios seleccionados pueden estar en la llanura aluvial de 100 años y/o adyacentes a un humedal. Como se señala en el Plan de Acción de la OHCS, de acuerdo con los datos de Asistencia Individual de FEMA, se estima que menos de 10 propiedades destruidas por los incendios forestales estaban ubicadas en el Área Especial de Riesgo de Inundación (SFHA, por sus siglas en inglés), o llanura de inundación de 100 años. No obstante, es probable que haya más de 10 propiedades afectadas en la SFHA. No se permitirá ningún trabajo en los humedales existentes. Sin embargo, las propiedades pueden ser adyacentes a humedales. A continuación, se presenta de manera tabulada el número estimado de viviendas que se incluirán en el programa y los acres aproximados de llanuras aluviales en cada condado afectado.

Condado afectado	**Aproximado de viviendas unifamiliares destruidas o dañadas**	**Total aproximado del Condado (acres)**	**Planicie aluvial efectiva de 100 años de FIRM (acres)**	**Planicie aluvial preliminar de 100 años de FIRM (acres)**	**Llanura aluvial de 100 años combinada total de FIRM y PFIRM (acres)**	**Acres aproximados del condado en llanuras aluviales de 100 años (%)**
Clackamas	62	1,206,348	23,145.27		23,145.27	**1.92%**
Douglas	138	3,285,411	69,960.36		69,960.36	**2.13%**
Jackson	2,180	1,792,789	23,721.58		23,721.58	**1.32%**
Klamath	11	3,927,539	0.00	5,839.16	5,839.16	**0.15%**
Carril	615	3,023,558	142,499.90	18,792.89	161,292.79	**5.33%**
Lincoln	288	763,111	37,935.92		37,935.92	**4.97%**
Linn	71	1,476,653	112,033.14	1,181.01	113,214.15	**7.67%**
Marion	633	762,636	54,591.56		54,591.56	**7.16%**

Se consideraron cuatro alternativas: Alternativa 1 (Alternativa Seleccionada): Realizar la Rehabilitación/Reconstrucción de la Vivienda y el Reemplazo de la MHU en la llanura de inundación de 100 años, pero no en el cauce de inundación. Alternativa 2: Todas las viviendas unifamiliares seleccionadas para el Programa deben estar fuera de la llanura de inundación de 100 años. Alternativa 3: Reubicar las viviendas fuera de la llanura aluvial de 100 años, y Alternativa 4: Alternativa de no acción. La OHCS determina que la Alternativa 1 es la única alternativa viable. Esto se debe a: 1) la necesidad de brindar alivio de los efectos de los incendios forestales de 2020; 2) el deseo de no desplazar a los residentes que prefieren permanecer en su ubicación actual; y 3) la capacidad esperada de mitigar y minimizar los impactos en la salud humana, la propiedad pública y los valores de las llanuras aluviales/humedales, ya que todo el trabajo de rehabilitación y reconstrucción involucrará viviendas existentes, en lotes existentes, en vecindarios establecidos.

Todas las estructuras, definidas en 44 CFR 59.1, diseñadas principalmente para uso residencial, y ubicadas en la llanura de inundación de 1% de probabilidad anual (o 100 años), que reciben asistencia para la reconstrucción, rehabilitación de daños sustanciales o rehabilitación que resulte en mejoras sustanciales, como se define en 24 CFR 55.2 (b) (10), deben elevarse con el piso más bajo, incluido el sótano, al menos 2 pies por encima del nivel base de inundación establecido para la llanura de inundación con probabilidad anual del 1%. La construcción adyacente a los humedales requerirá la implementación de mejores prácticas de manejo (BMP, por sus siglas en inglés) para prevenir impactos en la calidad del agua y los ecosistemas de los humedales. Para el trabajo adyacente a los humedales, los equipos de construcción instalarán cerca de malla sintética y/o pacas de heno entre el sitio de trabajo y el área del humedal para evitar los impactos de las escorrentías de aguas pluviales y, de la erosión y el transporte del suelo en las áreas de humedales.

La OHCS, luego de reevaluar las alternativas a la construcción en la llanura aluvial y adyacente a los humedales, ha determinado que no tiene una alternativa viable. Los archivos ambientales que documentan el cumplimiento de los pasos 3 al 6 de la Orden Ejecutiva 11988 y 11990, se encuentran disponibles, sujeto a solicitud, para inspección pública, revisión y copia en los horarios y lugares delineados en el último párrafo de este aviso para recibir comentarios.

Este aviso tiene tres propósitos principales. En primer lugar, dar oportunidad a las personas que puedan verse afectadas por las actividades en las llanuras aluviales o los humedales y las que tengan interés en la protección del medio ambiente natural de expresar sus preocupaciones y proveer información sobre estas zonas. En segundo lugar, un programa adecuado de aviso público puede ser una importante herramienta de educación pública. La difusión de información y la solicitud de comentarios públicos sobre las llanuras aluviales/humedales pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como parte de las políticas de justicia, cuando el gobierno federal determina que participará en acciones que se lleven a cabo en llanuras aluviales/humedales, debe informar a aquellos que pueden estar en mayor riesgo o en riesgo continuo.

COMENTARIOS PÚBLICOS:
Cualquier individuo, grupo o agencia puede enviar comentarios por escrito sobre el ERR a la Agencia de Vivienda y Servicios Comunitarios. La OHCS exhorta la presentación electrónica de comentarios a través de ReOregon@hcs.oregon.gov. Todos los comentarios recibidos antes del 3 de noviembre de 2023 serán considerados por la OHCS antes de autorizar la presentación de una solicitud de liberación de fondos de HUD. **Los comentarios deben especificar a qué Aviso de ReOregon se están dirigiendo** (RROF, FONSI o Aviso Final de Llanuras Aluviales). Como alternativa, los comentarios pueden enviarse por correo postal a la OHCS la siguiente dirección: Disaster Recovery and Resilience, Oregon Housing and Community Services, 725 Summer St., NE, Suite B, Salem, OR 97301.

CERTIFICACIÓN AMBIENTAL:
La OHCS certifica a HUD que Ryan Flynn, en su capacidad de Director de Recuperación de Desastres y Resiliencia en OHCS y Oficial Certificador, consiente aceptar la jurisdicción de los Tribunales Federales si se presenta una acción para hacer cumplir las responsabilidades en relación con el proceso de revisión ambiental y que estas responsabilidades han sido satisfechas. La aprobación de la certificación por parte de HUD satisface sus responsabilidades bajo NEPA y leyes y autoridades relacionadas y, permite que la OHCS utilice los fondos del Programa.

OBJECIONES A LA LIBERACIÓN DE FONDOS:
HUD aceptará objeciones a su liberación de fondos y a la certificación de OHCS por un período de quince días después de la fecha de presentación anticipada o de la fecha de recibo de la solicitud (lo que ocurra

más tarde) solo si se basan en una de las siguientes bases: (a) la certificación no fue ejecutada por el Oficial Certificador de la OHCS; (b) La OHCS ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR parte 58; (c) el beneficiario de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, incurrido en costos o realizado actividades no autorizadas por 24 CFR Parte 58 antes de la aprobación de una liberación de fondos por parte de HUD; o (d) otra agencia federal que actúe de conformidad con 40 CFR Parte 1504 ha presentado una conclusión por escrito de que el proyecto es insatisfactorio desde el punto de vista de la calidad ambiental. Las objeciones deben prepararse y enviarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58, Sec. 58.76) y deben dirigirse a HUD Atención: Mark Mitchell, 1220 SW 3rd Ave #400 Portland, OR 97204, o por correo electrónico a Portland_RROF@hud.gov. Los posibles objetores deben comunicarse con HUD para verificar el último día real del período de objeción.

Ryan Flynn, Director
Recuperación ante Desastres y Resiliencia
Vivienda y Servicios Comunitarios de Oregón
15 de octubre de 2023

Attachment S

Request for Release of Funds (RROF)
and
Authority to Use Grant Funds (AUGF)

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 08/31/2023)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
Community Development Block Grant-Disaster Recovery	B-21-DZ-41-0001	

4. OMB Catalog Number(s)	5. Name and address of responsible entity
CFDA No. 14.218	Oregon Housing and Community Services, 725 Summer St., NE, Suite B Salem, OR 97301
6. For information about this request, contact (name & phone number)	
Ryan Flynn, 503-510-9932	

8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)
Mark Mitchell 1220 SW 3rd Ave #400 Portland, OR 97204, e-mail Portland_RROF@hud.gov	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
Oregon Homeowner Assistance and Reconstruction Program -8 Impacted Counties	725 Summer St., NE, Suite B, Salem, OR 97301

11. Program Activity/Project Description

In the early fall of 2020, Oregon experienced its most devastating series of wildfires in recorded history. More than 1.2 million acres burned, more than 4,300 homes were lost, nearly half of which were manufactured homes, and the remaining land was left charred with debris, standing burned trees, and destroyed public infrastructure. Due to the destruction, Oregon was included in the presidentially declared disaster, DR-4562. As a result of DR-4562, the federal government appropriated CDBG-DR funds to support the unmet recovery needs. Eligible program activities covered under this Broad Review include:
Homeowner Assistance and Reconstruction Program - Rehabilitation, reconstruction, acquisition, and replacement of single-family housing (including manufactured homes), including additional costs to comply with federal, state, and local construction standards, such as replacing or repairing on-site residential infrastructure, complying with green building standards, and ensuring homes are accessible for individuals living with disabilities and senior residents. Eligible costs also include activities necessary to address site-specific needs such as demolition and removal of the original structure, accessibility needs (e.g., ramps and lifts), environmental issues, on-site residential infrastructure repairs or replacement (e.g., septic tanks and wells), resilience and mitigation measures, elevation requirements, installation and transportation costs, relocation costs, and municipal ordinances, as needed.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did ☐ did not ☑ require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
X 	Ryan Flynn, Director, Disaster Recovery & Resilience
	Date signed: November 2, 2023

Address of Certifying Officer

725 Summer St., NE, Suite B Salem, OR 97301

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
X	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Attachment T

Sample Tier II Checklist

Tier II: Site Specific Review
2022 Community Development Block Grant – ReOregon Homeowner Assistance and Reconstruction Program
(Linn County)

HUD Grant Number B-21-DZ-41-0001	
Submittal Date:	Application ID:
Applicant Name:	
Property Address:	
Parcel ID:	Coordinates:
Inspection Date:	Inspector Name:
Date of Review:	Reviewer Name:
Scope Change: N/A ☐ (Initial Review) Yes ☐ Attach Change Information.	
Project Description	A Broad-Level Tiered Environmental Review was completed for the Oregon Housing and Community Services (OHCS) 2022 Community Block Grant – Disaster Recovery (CDBG-DR), Homeowner Assistance and Reconstruction Program (HARP) in Linn County. This program is funded though U.S. Housing and Urban Development (HUD) CDBG-DR allocations provided to the State of Oregon in response to the October 2020 Labor Day Wildfires. This is a site-specific review for activities eligible under the Program. This proposed activity is categorized as: ☐ Rehabilitation of existing home ☐ Reconstruction of home on same site in same footprint and manner ☐ Reconstruction of home on same site outside original dwelling footprint ☐ Replacement of manufactured housing unit (MHU) on original site
Environmental Finding	☐ The proposed activity conditionally complies with environmental requirements for funding. ☐ The proposed activity does not comply with environmental requirements for funding because (provide topic that makes it ineligible).

1. Airport Hazards

Not applicable. Compliance determined in broad review.

2. Coastal Barrier Resources

Not applicable. Compliance determined in broad review.

3. Flood Insurance

The proposed activity site is:

☐ Entirely outside a Special Flood Hazard Area/100-year floodplain (A and/or V zone). Attach map. (Analysis complete)

☐ Partially or entirely within a 100-year floodplain. Attach map. National Flood Insurance Program flood insurance required (a copy of the flood insurance policy declaration or paid receipt). (Analysis complete)

Comment:

Mitigation Measures Required:

4. Clean Air

Not applicable. Compliance determined in broad review.

5. Coastal Zone Management

Not applicable. Compliance determined in broad review.

6. Contamination and Toxic Substances

A. Is a solid waste landfill, proposed location with an underground storage tank, a hazardous waste site, or other source of hazardous materials, contamination, or toxic chemicals listed in NEPAssist or Oregon DEQ Environmental Cleanup database on or within 3,000 feet of the proposed activity site?

☐ No. Attach map. (Subsection analysis complete)

☐ Yes. No impacts, or impacts can be mitigated. Attach supporting documentation and any required mitigation measures. (Subsection analysis complete)

☐ Yes. Impacts cannot be mitigated. Attach any supporting documentation. **APPLICATION CANNOT PROCEED**. (Subsection analysis complete)

B. Based on its date of construction, does the structure potentially contain lead-based paint (pre-1978) or asbestos (pre-1982)?

☐ No. (Subsection analysis complete)

☐ Yes. Specify all that apply: ☐ Lead-Based Paint ☐ Asbestos

Attach hazardous material survey report and any required mitigation measures. (Subsection analysis complete)

C. RADON – IS THE PROJECT RECONSTRUCTION?

☐ YES. (Subsection analysis complete) Project will incorporate RRNC as part of the reconstruction requirements.

☐ NO , PROJECT IS REHABILITATION

Is Radon Mitigation Required? ☐ Yes ☐ No

Attach hazardous material survey report and any required mitigation measures. (Subsection analysis complete)

D. Did the site inspection find evidence of any Recognized Environmental Conditions or other environmental hazards?

☐ No. Attach site inspection report. (Subsection analysis complete)

☐ Yes. Attach site inspection report. Attach completed Phase I environmental site assessment and/or any required mitigation measures. (Subsection analysis complete)

Comment:

Mitigation Measures Required:

7. Endangered Species (Use HUD Guidance located at Environmental Guidance | HUD.gov / U.S. Department of Housing and Urban Development (HUD))

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

☐ 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 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.

☐ YES. Projects 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 QEUSTION 2**.

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

☐ 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.

☐ NO, the project occurs on land that is not currently or has not been previously developed. **STOP, PROJECT IS NOT COVERED UNDER THE APPROVED BROAD REVIEW.**

Comment:

Mitigation Measures Required:

8. Magnuson-Stevens Fishery Conservation and Management Act (Use HUD Guidance located at Environmental Guidance | HUD.gov / U.S. Department of Housing and Urban Development (HUD))

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.

☐ **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 (located in the Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon) 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 in the comment section below 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?

☐ **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.*
- Submit Action Notification Form, Stormwater Info Form, Post-Construction Stormwater Management Plan, and other relevant documentation to HUDBiOp.wcr@noaa.gov **AND Present project a HUD ESA quarterly meeting.**

Question 4: Did NMFS find the proposed project to be consistent with the HUD Programmatic Biological Opinion and approve Project Plans?

☐ **YES, Review Complete**

- Attach NMFS Documentation in the Environmental Review Record.

☐ **NO, PROJECT CANNOT CONTINUE**

Comment:

Mitigation Measures Required:

9. Explosive and Flammable Hazards

Not applicable. Compliance determined in broad review

10. Farmlands Protection

Not applicable. Compliance determined in broad review.

11. Floodplain Management

The proposed activity site is:

☐ Partially or entirely within a floodway. **APPLICATION CANNOT PROCEED**. Attach map. (Analysis complete)

☐ Partially or entirely within a 100-year floodplain. Elevation Required. Attach map and document elevation requirement in mitigation measures. (Analysis complete)

☐ Partially or entirely within a 500-year floodplain. Elevation Required. Attach map and document elevation requirement in mitigation measures. (Analysis complete)

☐ Entirely outside a 100-year floodplain. Attach map. (Analysis complete)

Comment:

Mitigation Measures Required:

12. Historic Preservation

1: Does the project include repair, rehabilitation, or conversion of existing properties; new construction; the acquisition of undeveloped land; or any activity that requires ground disturbance (defined as one cubic foot of disturbed soil)?

☐ No. STOP here. The Section 106 Historic Preservation review is complete.

☐ Yes. Proceed to #2

2: Does the project involve a structure that is less than 45 years old, is not in a historic district and has no ground disturbing activities?

☐ Yes. STOP here. The Section 106 Historic Preservation review is complete.

☐ No. Proceed to #3

3. Consult with SHPO or THPO and any tribes or groups that may have an interest in the project to determine if the project is eligible for the National Register of Historic Places. (Note: Tribes were contacted at the Broad Review level with no responses received.) Check finding below.

☐ No Historic Properties Affected. The Section 106 Historic Preservation review is complete. Attach Documentation.

☐ No Adverse Effect on Historic Property. The Section 106 Historic Preservation review is complete. Attach Documentation.

☐ Adverse Effect on Historic Property. Resolve Adverse Effects per 800.6 in consultation with SHPO/THPO, the ACHP if participating, and any consulting parties. Attach Documentation.

Comment:

Mitigation Measures Required:

13. Noise Abatement and Control

Not applicable. Compliance determined in broad review.

14. Sole Source Aquifers

Not applicable. Compliance determined in broad review.

15. Wetlands Protection/Clean Water Act

Is the project activity rehabilitation to an existing structure with all work occurring within the previously disturbed area?

☐ Yes. Project will not affect a wetland. Attach appropriate wetland map. **(Review Concluded)**

☐ No. The project activity is Reconstruction on the applicant's site

Are there wetlands or Waters of the United States on site or within proximity (100 feet) of the project activity?

☐ No. There are no Wetlands/Waters of the United States on site or within proximity of project activity. Attach appropriate wetland map. **(Review Concluded)**

☐ Yes. Wetlands/Waters of the United States are not in the project activity area but are located within 100 feet. Attach appropriate wetland map. Mitigation measures are required to ensure that wetlands are not impacted by construction activities. **(Review Concluded)**

☐ Yes. There are Wetlands/Waters of the United States within the project activity area of the site. Continue to the next question.

Would the activity affect a Wetlands/Waters of the United States?

☐ No. A trained wetland professional has conducted a site inspection and determined that the project area is comprised entirely of dry land or that activities are within the previously developed area. Attach appropriate wetland map and site inspection report. Measures may be required to ensure that wetlands in the vicinity are not inadvertently impacted by construction activities. **(Review Concluded)**

☐ No. Based on correspondence from the USACE dated_____, a determination has been made that the project activity area is not within a wetland, or the activity would not adversely affect a wetland. Attach appropriate wetland map and correspondence. Measures may be required to ensure that wetlands in the vicinity are not inadvertently impacted by construction activities. **(Review Concluded)**

☐ Yes. Possible adverse effect associated with construction activities in wetlands.

8-step decision-making process complete?

☐ No. The 8-step decision-making process was not completed. **(Application CANNOT proceed until an individual 8-step Decision Making Process has been completed)**

☐ Yes. The 8-step decision-making process was completed.

☐ Activity in compliance with EO 11990 and the Clean Water Act. Explain basis for conclusion._____. Describe the permitting process and mitigation measures in Section 3. Attach supporting documentation. **(Review Concluded)**

☐ Activity not in compliance with EO 11990 and the Clean Water Act. Explain basis for conclusion. Attach supporting documentation **(Ineligible for funding. Applicant CANNOT proceed)**

Comment:

Mitigation Measures Required:

16. Wild & Scenic Rivers

1. Does the proposed activity area overlap a designated Oregon State Scenic Waterway?

☐ No. Attach map. **(State Analysis complete)** Proceed to #2.

☐ Yes. Attach map, consultation correspondence with the Oregon Parks and Recreation Department (ORPD) and any required mitigation measures. **(State Analysis complete)** Proceed to #2.

2. Is the project within the proximity of a National Wild and Scenic Rivers System (NWSRS)

☐ No. Attach map. **(Analysis complete)**

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

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.

☐ No, 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.

☐ 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.

Comment:

Mitigation Measures Required:

17. Environmental Justice

Were any adverse environmental impacts identified in any other compliance review portion of this project activity's environmental review?

☐ No. There were no adverse environmental impacts that were disproportionately high for low-income and/or minority communities. **(Review Concluded)**

☐ Yes. The adverse environmental impacts were disproportionately high for low-income and/or minority communities. **(Ineligible for funding. Application CANNOT proceed.)**

Comment:

Mitigation Measures Required:

Environmental Conditions Summary

☐ Based on the above review, there are no site-specific environmental conditions that are required for the Project to proceed.

☐ Based on the above review, the following site-specific environmental conditions are required for the Project to proceed:

1) [list all applicable conditions identified above, e.g., flood insurance, elevation, hazardous material remediation, etc.]

Oregon Housing and Community Services (OHCS-approved staff only)
☐ The Site-Specific Environmental Review is complete, and the Project may be funded with the condition(s) listed above and attached. OHCS Certifying Officer: Date: ☐ The Site-Specific Environmental Review is complete, and the Project **MAY NOT** be funded due to the following reason(s). **Reason(s)**: OHCS Certifying Officer: Date: