

**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](mailto: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 3<sup>rd</sup> Ave #400 Portland, OR 97204, or via e-mail at [Portland\\_RROF@hud.gov](mailto: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