

Environmental Review Record

City of Ontario Sewer Improvement Project

Subject: Area of Potential Effects Notification for the Sewer Line Replacement Project, Ontario, Malheur County, Oregon

Ontario Oregon, Malheur County

Categorical Exclusion — NEPA Environmental Documentation

The following agencies/agents have been contacted regarding this project.

<u>Agency/Contact/ Data Source</u>	<u>Address</u>	<u>Name</u>	<u>Contact Date</u>	<u>Response</u>
CZMA				
Oregon Coastal Management Program, Department of Land Conservation and Development	Oregon Coastal Management Program, Department of Land Conservation and Development website on March 1, 2020. https://www.oregon.gov/lcd/OCMP/Pages/Coastal-Zone.aspx	NA	March 1, 2020	NA

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, http://www.oregon.gov/lcd/ocmp/pages/cstzone_intro.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.

Certification Statement

Program Description

Program Location

HUD or Responsible Entity Contact

Prior to initiating the project I will obtain applicable state and local permits and I certify that, to the best of my knowledge and belief, the proposed activity complies with the enforceable policies of the Oregon Coastal Zone Management Program and will be conducted in a manner consistent with the program.

(Signature) _____ Date _____
(Recipient)

HUD or the Responsible Entity conclude this action will not affect coastal resources.

The physical project will not be initiated until the applicable permits are obtained.

(Signature) _____ Date _____
(HUD or Responsible Entity)

Please mail Consistency Certification to: Coastal State-Federal Relations Coordinator, Oregon Coastal Management Program, Dept of Land Conservation and Development, 635 Capitol Street NE, Suite 150, Salem, OR 97301

Coastal Zone Management Act (CEST and EA)

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

Projects located in the following states must complete this form.

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

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

Yes → Continue to Question 2.

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

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

Yes → Continue to Question 3.

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

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

Yes, with mitigation. → Continue to Question 4.

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

No, project must be canceled.

Project cannot proceed at this location.

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

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

Worksheet Summary

Compliance Determination

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

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

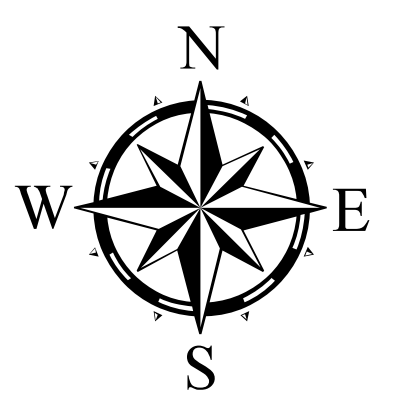
Ontario Sewer Improvement Project is not within a coastal zone.

Oregon Coastal Zone map provided below- Project is located in Eastern Oregon far from the mapped OR coastal zone. Map downloaded March 2020 from Oregon Coastal Management Program, Oregon Department of Lands Conservation and Development:

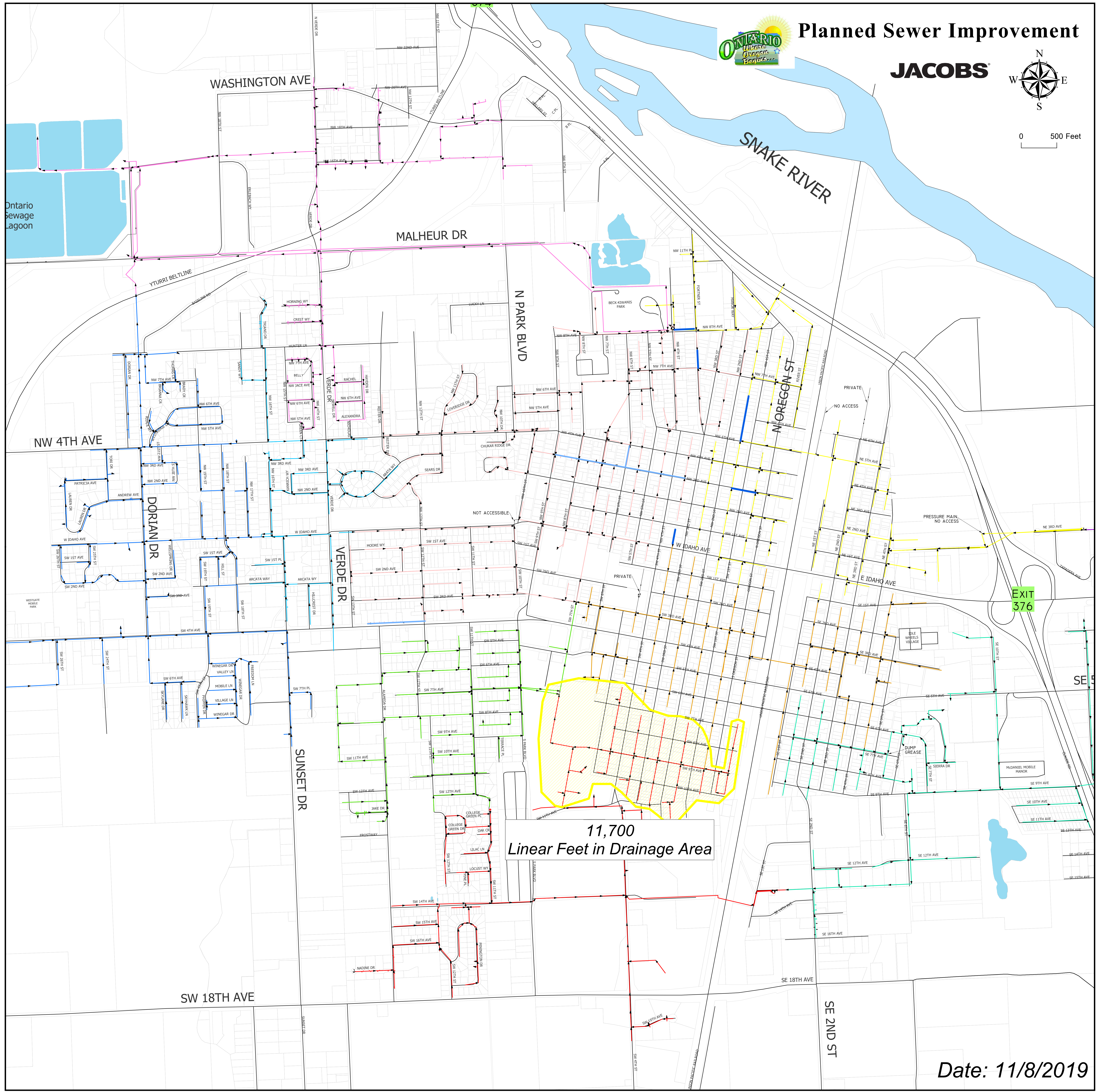
<https://www.oregon.gov/lcd/OCMP/Pages/Coastal-Zone.aspx>



Planned Sewer Improvement



0 500 Feet



11,700
Linear Feet in Drainage Area

Date: 11/8/2019