

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Hillside-Park-Redevelopment

HEROS Number: 900000010105346

Responsible Entity (RE): CLACKAMAS COUNTY, 112 11th St Oregon City OR, 97045

RE Preparer: Mark Sirois

State / Local Identifier: HACC Hillside Park Redev

Certifying Officer: Pamela Anderson

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 2887 SE Hillside Ct, Milwaukie, OR 97222

Additional Location Information:

2887 SE Hillside Court, Milwaukie, OR 97222 This is an urban residential neighborhood across from a hospital

Direct Comments to:

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

The project involves the redevelopment of the Hillside Park public housing complex. This is a conventional public housing development, owned and operated by the Housing Authority of Clackamas County (HACC), consisting of one hundred (100) dwelling units in seventy-five (75) to eighty-six (86) one-story residential apartment buildings located on a 16-acre parcel of land located at 2887 SE Hillside Court, Milwaukie, OR 97222 (Tax Parcel # 11E25CD00100). The development includes twenty-five (25) one-bedroom apartments and seventy-five (75) two-bedroom apartments built in 1941-1942. The project will involve assisting current Hillside Park residents with permanent relocation, including the option to return to a redeveloped unit upon completion. The project will involve the demolition of existing improvements, including the razing and removal of all structures, demolition of existing roads, and abandoning of infrastructure. Redevelopment will include the creation of a new street grid and infrastructure plan mandated by the City of Milwaukie and incorporated into the Hillside Park Master Plan. The Master Plan includes the creation of new streets, realigned for increased safety and better connectivity to the surrounding neighborhood and designed to support the increased density of the redevelopment. In accordance with the Master Plan, HACC plans to subdivide the 16-acre parcel into smaller parcels and conduct the redevelopment in phases. These parcels will be developed by HACC or in partnership with HACC under a leasehold interest. HACC may consider disposition and sale of a portion of the subdivided parcels at or below fair market value. The residential redevelopment will be a multi-phased, mixed-finance development that will leverage federal, state, and local funding opportunities. It entails the construction of roughly five hundred (500) units, which includes one hundred (100) replacement units, of both affordable and market rate housing. These units will be developed by HACC, in partnership with HACC, or sold to others for development. One hundred (100) replacement units will be developed by HACC and leased to low income residents living in units supported with a local Project Based Voucher contract. In addition to the residential development, HACC plans for the development of a community center, new open space, a playground, a sports court, and potentially commercial or office space.

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

Affordable housing and market rate housing is needed through Clackamas County. The Housing Authority owns some outdated public housing units on a 16 acre property known as Hillside Park in the City of Milwaukie, Oregon. The Housing Authority is working with the city to design a new housing development to replace the out dated public housing units. The Hillside Park Redevelopment Project will include the creation of a new street grid and infrastructure plan mandated by the City of Milwaukie and incorporated into the Hillside Park Master Plan. The Master Plan includes the creation of new streets, realigned for increased safety and better connectivity to the surrounding neighborhood and designed to support the increased density of the redevelopment. In accordance with the Master Plan, HACC plans to subdivide the 16-acre parcel into smaller parcels and conduct the redevelopment in phases. These parcels will be developed by HACC or in partnership with HACC under a leasehold interest. HACC may consider disposition and sale of a portion of the subdivided parcels at or below fair market value. The residential redevelopment will be a multi-phased, mixed-finance development that will leverage federal, state, and local funding opportunities. It entails the construction of roughly five hundred (500)

units, which includes one hundred (100) replacement units, of both affordable and market rate housing. These units will be developed by HACC, in partnership with HACC, or sold to others for development. One hundred (100) replacement units will be developed by HACC and leased to low income residents living in units supported with a local Project Based Voucher contract. In addition to the residential development, HACC plans for the development of a community center, new open space, a playground, a sports court, and potentially commercial or office space.

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

Affordable housing and market rate housing is needed throughout Clackamas County and the Portland Metropolitan area. The Housing Authority owns some outdated public housing units on a 16 acre property known as Hillside Park in the City of Milwaukie, Oregon. The Housing Authority is working with the city to design a new housing development to replace the 100 out dated public housing units with up to 500 new units of affordable and market rate housing. The Housing Authority and the City of Milwaukie want to replace the outdated public housing units with a new housing development to increase density of units on the site.

Maps, photographs, and other documentation of project location and description:

[Pictures10.19.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

[ERR Signature Page762020.pdf](#)

7015.15 certified by Certifying Officer

on:

7015.16 certified by Authorizing Officer

on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name

2020.1	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
2020.2	Community Planning and Development (CPD)	HOME Program
2020.3	Public Housing	Project-Based Voucher Program
2020.4	Other	Low Income Housing Tax credits, Metro Affordable Housing Bonds
CDP5600078	Public Housing	Housing Choice Voucher Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$15,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$85,000,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this 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]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. A review of the Environmental Protection Agency's site found</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks][24 CFR Part 51 Subpart C</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The City of Milwaukie is in an urban area</p>

		within an Urban Growth Boundary (UGB).
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was acceptable: Weighted 24hr average of 59.0 db. See Site Noise Study Report noise analysis completed by Listen Acoustics. The project is in compliance with HUD's Noise regulation. The primary sources of noise are traffic noise from Highway 224, McLoughlin industrial facilities to the West, and the adjacent rail line, with heavy commercial and Amtrak train traffic. The sound levels on the loudest (West) side of the site vary within a 52 to 74 dBA range, with an overall hourly average of 54 dBA and a weighted 24-hour average Ldn of 59 dBA. The maximum levels in each hour range from 55 dBA to 87 dBA. The minimum levels are between 50 dBA and 55 dBA.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Clackamas County has no sole source aquifers.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project within the City of Milwaukie, is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		

Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used 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	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The Hillside Redevelopment Project has a compatible land use and is appropriate in scale and design for the residential area in accordance with the City of Milwaukie land use plans.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	There is a storm water plan that will meet city and county drainage requirements. Standard erosion controls will be used during the construction process.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Safety practices will be used during construction. The project is not expected to generate any hazards, noise or nuisances once completed.	
Energy Consumption/Energy Efficiency	2	The project will be new construction with reduced energy consumption techniques. The project will be supplied with energy efficient heating and cooling systems and energy efficient appliances.	
SOCIOECONOMIC			
Employment and Income Patterns	2	Local businesses may get a slight increase in business income due to additional residents.	
Demographic Character Changes / Displacement	2	No individuals or businesses will be displaced due to construction of this	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		project. Public housing residents will be allowed to move into new apartments onsite.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	Residents of the completed housing project will have access to schools and cultural facilities. Oregon City schools and cultural facilities have the capacity to handle 300 to 400 new residents that may include 100 new students.	
Commercial Facilities (Access and Proximity)	2	Residents of the completed housing project will have access to grocery stores and other commercial facilities. City of Milwaukie stores and other commercial facilities have the capacity to handle 300 to 400 new residents. The new development may include retail and commercial activities.	
Health Care / Social Services (Access and Capacity)	2	Residents of the completed housing project will have access to health care and social services. The City of Milwaukie, County and state health care and social services are located in close proximity to this project site and have the capacity to handle new consumers of services. Providence Milwaukie Hospital is located across the street	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Residents of the completed housing project will have access to solid waste disposal and recycling services. City of Milwaukie solid waste and recycling providers have the capacity to handle new residents.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The completed housing project will have connections to waste water and sanitary sewer services. The City of Milwaukie and the County's Water and Environmental Services have water and sanitary sewer services with the capacity to handle these new residents.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Water Supply (Feasibility and Capacity)	2	The completed housing project will have connections to city water supply services. City of Milwaukie water services has the capacity to handle these new residents.	
Public Safety - Police, Fire and Emergency Medical	2	Residents of the completed housing project will have access to police, fire and emergency medical services. City of Milwaukie police, fire and emergency medical services have the capacity to serve new residents.	
Parks, Open Space and Recreation (Access and Capacity)	2	Residents of the completed housing project will have access to parks, open space and recreation. The City of Milwaukie has numerous parks, open space and recreational opportunities with the capacity to handle new residents. The development will also include green space and a park like setting.	
Transportation and Accessibility (Access and Capacity)	2	Residents of the completed housing project will have access to public transportation. TRIMET buses will be available less than 100 yards from the project site. The metro Trimet services has the capacity to handle new riders. The Max light rail stop is within walking distance of the development.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	Residents of the completed housing project will have access to the Willamette River waterfront park and to Mount Hood which is part of the Mt Hood national forest recreational area. The Willamette River, the Milwaukie Water Front Park and the Mt Hood national forest recreational areas have the capacity to handle new consumers of these nature features.	
Vegetation / Wildlife (Introduction,	2	This project once completed will not create nuisance or non-native vegetation. No plant species, trees,	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Modification, Removal, Disruption, etc.)		migratory birds or wildlife habitats will be harmed. The re-development will add native trees and plants to this area.	
Other Factors	2	None	

Supporting documentation

Additional Studies Performed:

Phase 1 Environmental Site Report Phase II Environmental Site Report

[Phase 1 ESA Hillside 111519.pdf](#)
[Hillside_PhIIESA.PDF](#)

Field Inspection [Optional]: Date and completed

by:

Mark Sirois

10/15/2019 12:00:00 AM

[Pictures10.19.pdf](#)

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

* Dept. Of Housing and Urban Development (HUD) * City of Milwaukie: City Council * City of Milwaukie: City Planning Commission * City of Milwaukie: Planning Dept. * City of Milwaukie: Engineering Dept. * Clackamas County: Board of Commissioners * Iroz Elardo Research: Health Impact Analysis * David Paul Rosen & Associates (DRA): Financial analysis * ECONorthwest: Economic Impact Analysis * Listen Acoustics: Acoustic Analysis (environmental noise mitigation) * Structure PDX: Development / Finance steering * DCW Cost Management: Construction Estimate * Brightworks: Sustainability Planning * Scott Edwards Architecture: Master Planning / Zoning * Walker Macy: Landscape Planning * Humber Design Group: Civil Engineering * Lancaster Mobley: Traffic Engineering * EnviroIssues: Community Engagement

List of Permits Obtained:

Pre-Application Meeting: Development Permit with City of Milwaukie Land Use Narrative: City of Milwaukie: Planning Commission and City Council Land Use approval Traffic Impact Study with scope for the masterplan analysis approval by City of Milwaukie Preliminary Development Plan (Master Plan) approval by City of Milwaukie: Planning Commission Final Development Plan (Master Plan) approval by City of

Milwaukie: Planning Commission and City Council CPA / ZC Application (Base Zone for Density) approval by City of Milwaukie: Planning Commission, City Council Preliminary Plat - Phase 1 approval by City of Milwaukie: Planning Commission and City Council Final Plat - Phase 1 approval by City of Milwaukie.

Public Outreach [24 CFR 58.43]:

* September 2018: Listening Sessions (2 meetings) * October 2018: Visioning Workshops (2 meetings) * November 2018: Sustainability Workshop (4 meetings) * February 2018: Community Design Workshop (4 meetings) * May 2019: Community Open House (2 meetings) * June/July 2019: Draft Master Plan Presentation (1 meeting)

Cumulative Impact Analysis [24 CFR 58.32]:

The proposed housing re-development project will have minimal impact on the environment since the project will be built in the middle of a 100-year old city in the middle of a residential neighborhood with access to all city services and amenities. The proposed project is for new construction of up to 500 units of affordable and market rate housing on a 16 acre parcel in the City of Milwaukie to replace an existing 100 units of public housing. When complete, Hillside Park Redevelopment will provide up to 500 households with safe and stable homes.

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

Other sites of this size were not readily available for a reasonable purchase price. The current project site could if sold for private development of single family homes or condominiums for private sale would result in the loss of affordable housing units. This was not selected due to the great need for affordable housing units for low income families, homeless veterans, persons with disabilities and elderly persons.

No Action Alternative [24 CFR 58.40(e)]

If no action was taken the existing public housing units would deteriorate further and the 16 acre property would continue to be under utilized in the context of a housing crisis and a high demand private housing market.

Summary of Findings and Conclusions:

Clackamas County has reached a Finding of No Significant Impact for the proposed project. There is a potential beneficial impact on the affordable housing market in the Portland metro area. Proper construction design and techniques should be incorporated to reduce the impacts of exterior noise on the occupants of the project. All stormwater will be treated onsite with potential beneficial impact to the natural environment. No changes to the proposal are necessary.

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

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Contamination and Toxic Substances	If housing is built in the area where RECs were found all containents will be removed.	N/A	
Permits, reviews and approvals	Pre-Application Meeting: Development Permit with City of Milwaukie Land Use Narrative: City of Milwaukie: Planning Commission and City Council Land Use approval Traffic Impact Study with scope for the masterplan analysis approval by City of Milwaukie Preliminary Development Plan (Master Plan) approval by City of Milwaukie: Planning Commission Final Development Plan (Master Plan) approval by City of Milwaukie: Planning Commission and City Council CPA / ZC Application (Base Zone for Density) approval by City of Milwaukie: Planning Commission, City Council Preliminary Plat - Phase 1 approval by City of Milwaukie: Planning Commission and City Council Final Plat - Phase 1 approval by City of Milwaukie.	N/A	

Mitigation Plan

None other than proper building techniques and all required permits

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

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

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[OregonAirports2015.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[CoastalZoneChecklist2015.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

2. Upload a FEMA/FIRM map showing the site here:

[FloodMap2019.pdf](#)

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

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

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary **Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

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

Yes

No

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

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

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

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. A review of the Environmental Protection Agency's site found

Supporting documentation

[Nonattainment Areas Oregon 10.19.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[CoastalZoneChecklist2015\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
Remediation or clean-up plan
ASTM Vapor Encroachment Screening
None of the Above

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

No

- Yes

3. Mitigation

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

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

If housing is built in the area where RECs were found all containents will be removed.

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

- ✓ Complete removal

Risk-based corrective action (RBCA)

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[Phase2 Hillside PhIIESA.PDF](#)
[Phase 1 Summary8.20.19.pdf](#)

Are formal compliance steps or mitigation required?

- ✓ Yes
- No

Endangered Species

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

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

No, the project will have No Effect due to the nature of the activities involved in the project.

- ✓ No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Explain your determination:

We determined that there would be no impact based on a checklist provided by HUD and a review of the critical habitats in the area. All local storm water permitting will ensure compliance.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.

Supporting documentation

[ESA Determination10.23.19.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

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

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

Yes

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

No

Yes

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 or later 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. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

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

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

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The City of Milwaukie is in an urban area within an Urban Growth Boundary (UGB).

Supporting documentation

[Urbanized2010DC10UA71317.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

2. Upload a FEMA/FIRM map showing the site here:

[FloodMap2019.pdf](#)

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

Does your project occur in a floodplain?

- No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 “Protection of Historic Properties” http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

Threshold

Is Section 106 review required for your project?

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

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

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Confederated Tribes of Grand Ronde Completed
- ✓ Confederated Tribes of Siletz Indians Completed

Other Consulting Parties

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

State Historic Preservation Office Local Tribes

Document and upload all correspondence, notices and notes (including comments and objections received below).

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

The project involves the redevelopment of the Hillside Park public housing complex located on a 16-acre parcel of land located at 2887 SE Hillside Court, Milwaukie, OR 97222 (Tax Parcel # 11E25CD00100).

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
2887 SE Hillside Court, Milwaukie, OR 97222	Not Eligible	Yes	✓ Not Sensitive

Additional Notes:

2. **Was a survey of historic buildings and/or archeological sites done as part of the**

project?

Yes

Document and upload surveys and report(s) below.
For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[SHPO Response Archeology Response Case No19-1657.pdf](#)

[106 Form HillsidePark101719.docx](#)

[SHPO Response Letter Concurrence Final Case Nbr SHPO Case 191657.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

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

- New construction for residential use

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

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision 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

None of the above

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

Indicate the findings of the Preliminary Screening below:

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

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

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

Indicate noise level here: 59

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

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

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 59

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: Weighted 24hr average of 59.0 db. See Site Noise Study Report noise analysis completed by Listen Acoustics. The project is in compliance with HUD's Noise regulation. The primary sources of noise are traffic noise from Highway 224, McLoughlin industrial facilities to the West, and the adjacent rail line, with heavy commercial and Amtrak train traffic.

The sound levels on the loudest (West) side of the site vary within a 52 to 74 dBA range, with an overall hourly average of 54 dBA and a weighted 24-hour average Ldn of 59 dBA. The maximum levels in each hour range from 55 dBA to 87 dBA. The minimum levels are between 50 dBA and 55 dBA.

Supporting documentation

[Noise 010719_Hillside Site Noise Study Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Clackamas County has no sole source aquifers.

Supporting documentation

[Sole Source Aquifer Map 2015.docx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

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

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[wetlands inventory map - N. Clackamas Cnty.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

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

Screen Summary

Compliance Determination

This project within the City of Milwaukie, is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[WildandScenicRivers2015.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No