

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.

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