

Tier 1 Environmental Assessment

Tulsa County

2019 Oklahoma Storms Community Development Block Grant –
Disaster Recovery:
Voluntary Buyout Program

Tulsa, Oklahoma



Table of Contents

Tiered Environmental Broad Review Environmental Assessment Storm Residential Flood Recovery	
Program Unspecified Sites	1
Introduction	1
Project Location	4
Program Description	7
Appendix A Broad-Level Tiered Environmental Review Tier 1 of a 2-Step Environmental Assessment ..	9
Broad-Level Tiered Environmental Review Tier 1 of a 2-Step Environmental Assessment.....	10
Project Information.....	10
Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities and Written Strategies	11
Environmental Assessment Factors	21
Cumulative Impact Analysis	25
Alternatives	26
Summary of Findings and Conclusions	26
Mitigation Measures and Conditions [40 CFR 1505.2(c)]	26
Determination:.....	29
Attachment 1 – Airport Hazards	30
Attachment 2 – Coastal Barrier Resources	36
Attachment 3 – Clean Air	38
Attachment 4 – Coastal Zone Management	39
Attachment 5 – Contamination and Toxic Substances	40
Attachment 6 – Threatened, Endangered, and Migratory Species	43
Attachment 7 – Explosive and Flammable Hazard	62
Attachment 8 – Farmland Protection	63
Attachment 9 – Floodplain Management.....	65
Attachment 10 – Historic Preservation.....	77
Attachment 11 – Noise Abatement and Control	79
Attachment 12 – Sole Source Aquifers	80
Attachment 13 – Wetlands Protection	81
Attachment 14 – Wild and Scenic Rivers	83
Attachment 15 – Environmental Justice	84
Attachment 16 – Essential Fish Habitat	85

Appendix B Environmental Site-Specific Review CHECKLIST	86
Appendix C Notice of Finding of No Significant Impact, Notice of Intent to Request a Release of Funds and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain	96
Appendix D Request for Release of Funds (RROF) and Authority to Use Grant Funds (AUGF)	101

Tiered Environmental Broad Review Environmental Assessment Voluntary Buyout Program Unspecified Sites

Introduction

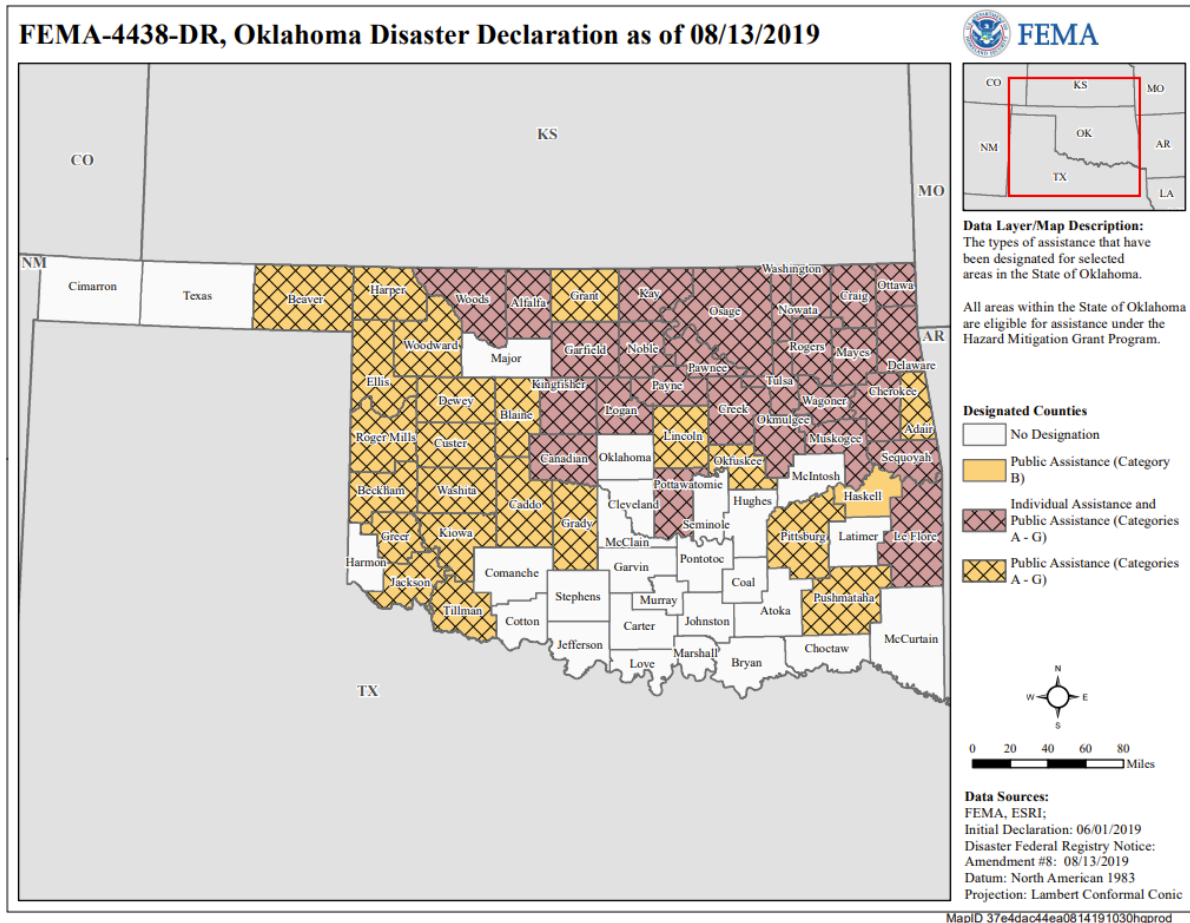
On May 31, 2019, the Governor of Oklahoma requested a major disaster declaration due to severe storms, straight-line winds, tornadoes, and flooding during the period of May 7 to June 9, 2019.

In Tulsa County, evacuations occurred in numerous locations including Broken Arrow, Bixby, Leonard, Sand Springs, and the City of Tulsa. The National Guard closely monitored the levees and dropped HESCO containers to reinforce a threatened levee. The U.S. Army Corps of Engineers (USACE) released 250,000 cubic feet of water per second (CFS) from the Keystone Dam in Tulsa County, Oklahoma beginning May 24, 2019. Due to higher inflows, releases at the Keystone Dam increased to 275,000 CFS at 7 a.m. on May 27, 2019. The releases caused significant widespread flooding in Tulsa County, as well as all counties down river.

Tulsa County also sustained damage from two tornadoes since May 20, 2019. Eighty power poles and 40 cross arms were damaged in a tornado on May 27, 2019, causing an extended power outage. In Sperry, several crude oil tanks were damaged, and a gas station was flooded, releasing crude oil and gasoline into the floodwaters. There was significant residential flooding reported west of Sand Springs.

On June 1, 2019, the President declared that a major disaster exists in the State of Oklahoma. This declaration made Individual Assistance requested by the Governor available to affected individuals and households in Muskogee, Tulsa, and Wagoner Counties.

Figure 1: FEMA-4438-DR, Oklahoma’s Presidentially Declared Disasters by County

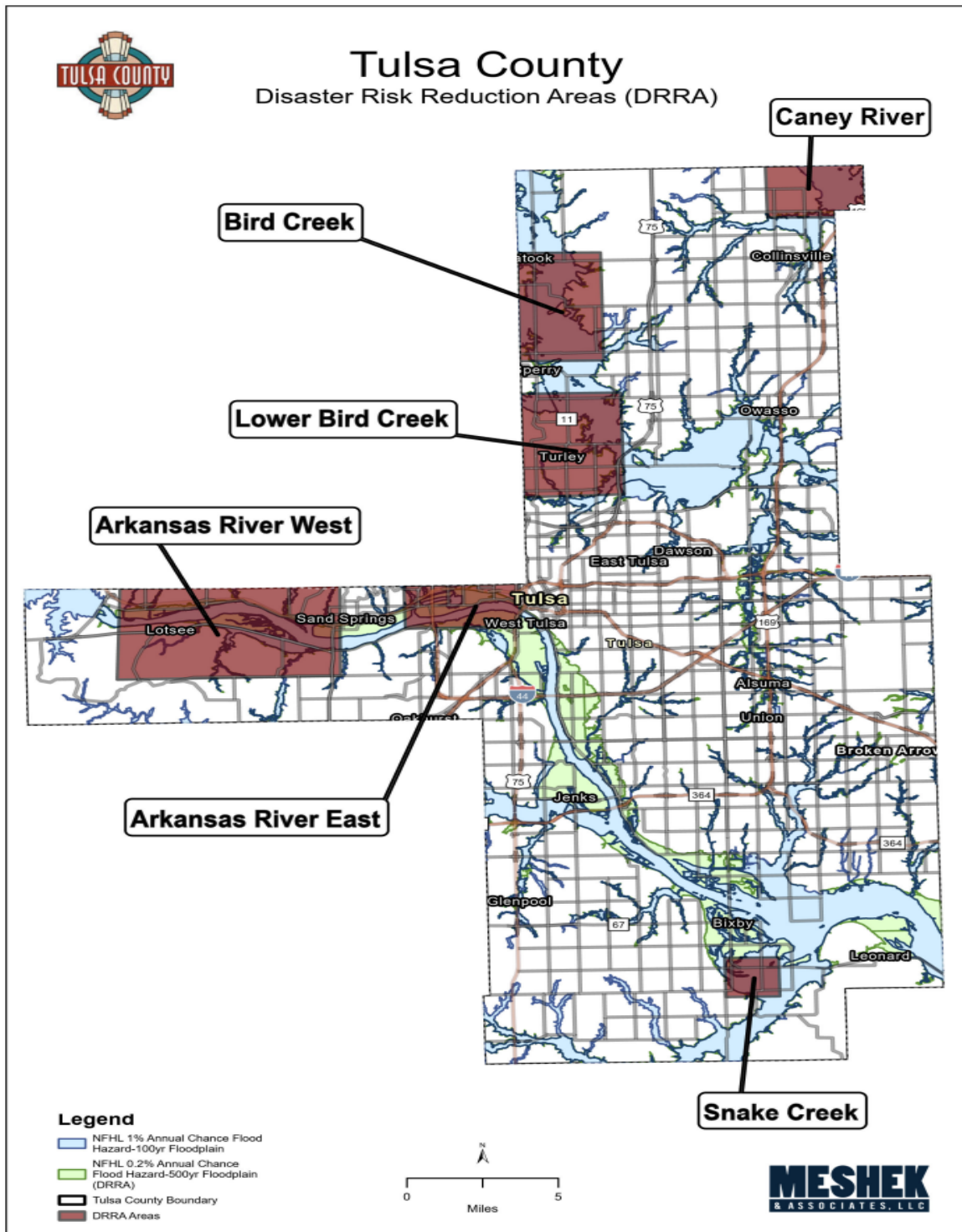


This document presents the Environmental Broad Review for the 2019 Storm Voluntary Buyout Program (VBP) funds dispensed by Tulsa County for the Residential Flood Recovery Program. In response to the 2019 Storms, the U.S. Department of Housing and Urban Development (HUD) allocated \$36,353,000.00¹ in Community Development Block Grant Disaster Recovery (CDBG-DR) funds through the Additional Supplemental Appropriations for Disaster Relief Act, 2019 for major disasters occurring in 2017, 2018, and 2019 (Public Law 116-20), approved on June 6th, 2019 (2019 Appropriations Act), to the State of Oklahoma for distribution in the “most impacted and distressed” (MID) areas. The funds are necessary expenses for activities authorized under Title I of the Housing and Community Development Act of 1974 (42 United States Code 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the MID areas resulting from a qualifying major disaster between 2017- 2019. CDBG-DR funding is designed to address unmet needs after all other assistance has been exhausted, and HUD requires funds to be used for costs related to unmet needs in the MID areas. The entirety of Tulsa County is included in the MID designation. Tulsa County has identified six delineated geographic areas for initial program eligibility. These areas are shown in Figure 2 and include the 100- and 500-year floodplain. The Voluntary Buyout Target Area

¹ Allocation Notice FR-6182-N-01.

(VBTA) is identified with the 100-year floodplain and the 500-year floodplain and adjacent areas are identified as the Disaster Risk Reduction Area (DRRA).

Figure 2: Tulsa County Project Areas



Tulsa County, as the Responsible Entity (RE) for administering CDBG-DR funds, is required to complete environmental reviews for actions covered within 24 CFR 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities”. The environmental reviews for the proposed actions will be completed in compliance with the National Environmental Policy Act 42 U.S.C. § 4321 which “requires each federal agency to determine the environmental impacts of its actions.”² HUD provides guidance on the impact categories which require environmental review compliance with Federal related laws and authorities listed at 24 CFR 50.4, 58.5, and 58.6.

Project Location

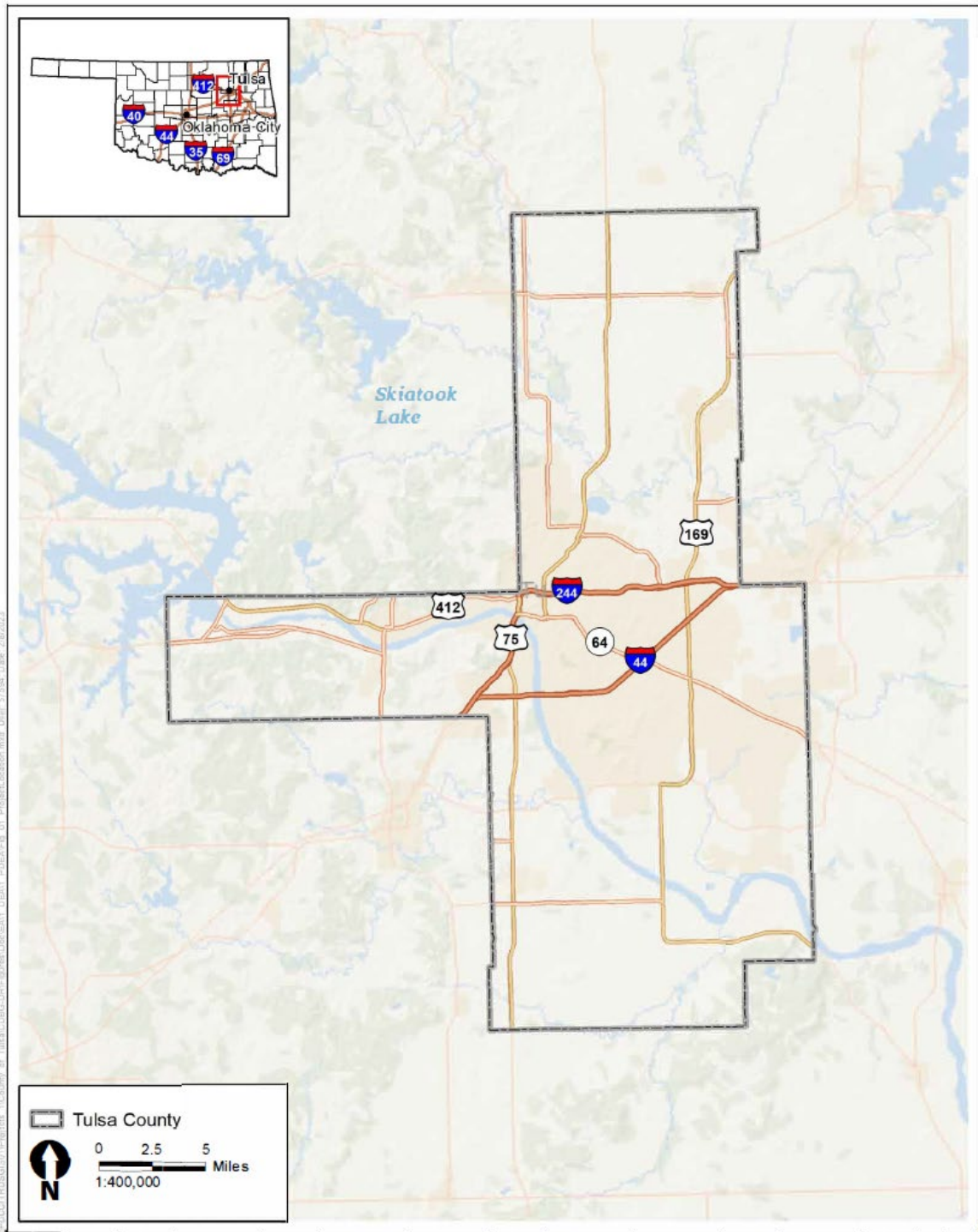
The geographic scope described herein is the area of Tulsa County in Northern Oklahoma (Figure 3). According to United States Census Bureau data, Tulsa County’s population as of 2020 was estimated to be 669,279. Based on the 2022 National Land Cover Database (NLCD) dataset, the county’s total area is approximately 375,394 acres. Land cover types classified by the NLCD are shown in Table 1 and Figure 4. The county has a total area of approximately 587 square miles.

Table 1: Tulsa County Land Cover Designations

Land Cover Type	Acres	Land Cover Type	Acres
Barren Land (Rock/Sand/Clay)	1,287.1	Evergreen Forest	57.6
Cultivated Crops	5,967.1	Hay/Pasture	96,753.8
Deciduous Forest	77,086.0	Herbaceous	15,883.3
Developed, High Intensity	23,120.9	Mixed Forest	423.5
Developed, Low Intensity	50,672.4	Open Water	11,436.7
Developed, Medium Intensity	41,770.0	Shrub/Scrub	2,960.8
Developed, Open Space	43,712.8	Woody Wetlands	3,296.7
Emergent Herbaceous Wetlands	965.5	Total	375,394.3

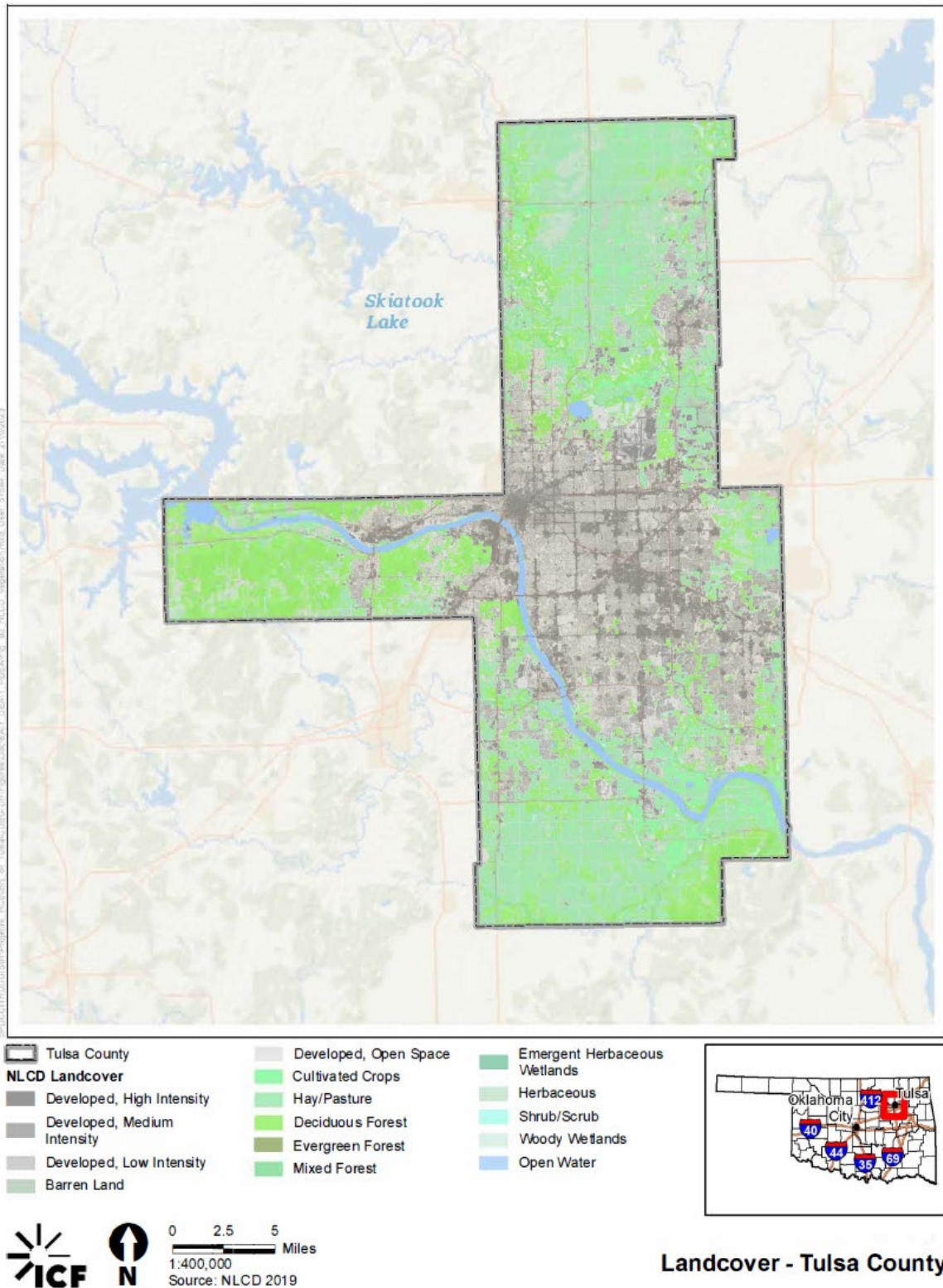
² HUD Exchange: Environmental Assessment. Available at: <https://www.hudexchange.info/programs/environmental-review/environmental-assessment/>. Accessed: February 2023.

Figure 3: Tulsa County



Project Location - Tulsa County

Figure 4: Tulsa County Landcover



Program Description

The program for which HUD is providing funding covered under this Tier 1 EA for Tulsa County is the Tulsa County Voluntary Buyout Program (VBP). The VBP offers eligible households the opportunity to relocate to a safer location. Provided below is a detailed description of the program covered within this Tier 1 EA:

- Tulsa County Voluntary Buyout Program - The VBP is intended to help eligible Oklahomans relocate from the VBTA and DRRA to a location deemed decent, safe and sanitary (DSS). The goal of this program is to voluntarily buyout such properties, demolish the damaged residential structures, and convert the properties to open space, green space, recreational grounds, or floodplain management areas. Properties purchased with CDBG-DR funds shall be deed-restricted to remain as green space, recreational space, or floodplain management areas in perpetuity. Residential or commercial development on properties acquired is prohibited.

Single family and qualifying manufactured housing projects that are deemed approved for the VBP program will require a site-specific environmental review (further discussed in Appendix B). The proposed action is further defined below:

Acquisition and Demolition: Approved properties within the VBTA and the DRRA will be voluntarily acquired from eligible homeowners using program funds. Residential structures will be demolished and removed. The program will prioritize Low- and Moderate Income (LMI) property owners in the VBTA, followed by LMI property owners in the DRRA. The acquired properties will have a permanent deed restriction placed on them to remain greenspace, flood management areas, parks, or open spaces. The County will minimally maintain the acquired property to ensure no hazards develop and no new development is installed.

The broad review of the proposed actions for the VBP program is not exempt or categorically excluded under 24 CFR § 58.34, Exempt activities, and 24 CFR § 58.35, Categorical exclusions. Tulsa County has determined an Environmental Assessment (EA) is required to analyze the proposed action and its potential environmental impacts per § 58.36, Environmental Assessments, and subject to the laws and authorities at 24 § CFR 58.5, 24 § CFR 58.6, and NEPA.

HUD regulations at 24 CFR § 58.15, Tiering, allows responsible entities to tier their environmental reviews and analysis by evaluating impacts at a broader level, such as aggregating projects within a single county, followed by a narrow or focused analysis at a later date at the site-specific review level. The first tier, or broad review, describes the proposed action and identifies the potential environmental effects that may result. The second tier, or site-specific review, then references or summarizes the issues addressed at the broad review level where compliance with NEPA and HUD's regulations at 24 CFR Part 58 has been demonstrated, and provides additional analyses for areas where compliance was not achieved at the broad review level. By tiering the environmental review in this way, the environmental review process is made more efficient and allows the decisionmaker and the public to "eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review" (40 § CFR 1502.20).

Because project locations are not known at this stage of the tiered review, potential environmental effects at the site-specific level cannot be known. The broad review that follows in Appendix A describes NEPA and HUD regulations where compliance can be achieved at the county level, and if compliance cannot be achieved, then a plan to achieve compliance, mitigate impacts when possible, and

recommend an alternative to the proposed action when projects are deemed noncompliant at the site-specific review level is described.

Once applicants have been selected for funding, a site-specific review must be completed prior to committing HUD funding to the project. The site-specific review checklist is included in Appendix B and will document the individual project site's compliance with NEPA and HUD regulations that could not be achieved at the broad review level. If, after completing the site-specific review checklist, the project site is determined to have no impacts or would be fully mitigated through required mitigation measures, then the ERR is complete and the project can proceed.

APPENDIX A
BROAD-LEVEL TIERED ENVIRONMENTAL REVIEW TIER 1 OF A
2-STEP ENVIRONMENTAL ASSESSMENT

Broad-Level Tiered Environmental Review Tier 1 of a 2-Step Environmental Assessment

Project Information

Project Name: Tulsa County Voluntary Buyout Program

Responsible Entity (RE): Tulsa County

State/Local Identifier: Oklahoma

RE Preparer: ICF

Certifying Officer: Tulsa County Board of County Commissioners

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): ICF

Point of Contact: Stephanie Corley, Patrick Stokes, and Rob Greene, ICF Consultants

Project Location: Tulsa County, Oklahoma

Direct Comments to: Joseph Kralicek, Emergency Manager

Tulsa Area Emergency Management Agency

600 Civic Center, EOC

Tulsa OK 74103

jkralicek@cityoftulsa.org

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

The project activities include acquisition and demolition of real property within the VBTA and DRRR. The VBP offers eligible households the opportunity to relocate to a safer location by offering them buyouts. The program will prioritize LMI property owners in the VBTA, followed by LMI property owners in the DRRR. For both the VBTA and the DRRR, Tulsa County has identified six delineated geographic areas for initial program eligibility. These areas are Arkansas River West, Arkansas River East, Caney River, Snake Creek Bird Creek, and Lower Bird Creek. The acquired properties will have a permanent deed restriction placed on them to remain greenspace, flood management areas, or parks.

Homes located in the VBTA or the DRRR are not considered occupiable because of the present risk to life and property and are also not suitable for repair using Oklahoma's 2019 CDBG-DR funds. The VBP allows individuals the option to relocate by offering them Fair Market Value (FMV) for their home, based on Oklahoma's VBP guidelines. Residents within the eligible areas might not otherwise have the option of relocating, and thus would be subject to continued flooding events.

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

The purpose of this program is to support LMI households to relocate outside of the VBTA and DRRR. The buyouts will reduce the financial impact on federal, state, and local governments from future flooding disasters. The program may also serve non-LMI property owners in target areas to reduce

future harm caused by repeat flooding events. Ultimately, the program will address the unmet housing needs of the County by filling in the funding gap left over from other forms of disaster assistance.

The 2019 storms caused extensive damage to homes, personal property, and land across Tulsa County through a combination of destructive weather events. Many residents were left with significant property damage, were displaced from their homes, or have experienced homelessness since the disaster.

The need of the proposed project is to provide long overdue and necessary relief to many residents still unable to recover from the 2019 flood event. Program funding would allow residents to relocate somewhere decent, safe, and sanitary outside of the floodplain. Some survivors of the flood have been displaced since the 2019 flood event. Others are living in homes not suitable for safe living, but with no other place to go. The acquisition of damaged homes would provide sorely needed relief to qualifying residents, allowing them to relocate to a safe and sanitary home.

Approximate size of the project area: 375,394 acres

Length of time covered by this review: 5 years from the date of EA signature.

Level of Environmental Review Determination:

Environmental Assessment per 24 CFR 58.36.

Funding Information

Grant Number	HUD Program	Program Name	Funding Amount
B-19-DF-40-0001	CDBG-DR	Tulsa County Voluntary Buyout Program	\$14,750,000.00

Estimated Total HUD Funded Amount: \$14,750,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$14,750,000.00 HUD funded plus any additional funds awarded to the County by the Federal Emergency Management Agency (FEMA) or other federal programs to fill remaining unmet needs.

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Was compliance achieved at the broad level of review?	<p>If Yes: Describe compliance determinations made at the broad level.</p> <p>If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>				
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6						
Airport Hazards 24 CFR Part 51 Subpart D	<table border="0"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Compliance for Airport Hazards will be achieved during the broad level as detailed below.</p> <p>The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration’s National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)) (See Figure A1-2). The only Tulsa County</p>
Yes	No					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
		<p>airports listed as commercial service airports in the current NPIAS are Riverside Airport and Tulsa International Airport (Figure A1-1). There are no military airports located in Tulsa County or in the surrounding counties that share a border with Tulsa County. <u>Conclusion:</u> The project activities include acquisition and demolition in order to protect lives and property and therefore are exempt from this section, according to 24 CFR § 51.302(d).</p>
<p>Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance achieved in the Broad Review as detailed below. There are no designated Coastal Barrier Resources System units in the State of Oklahoma (Figure A2-1). <u>Conclusion:</u> No project activities would occur on designated coastal barriers or in “otherwise protected areas,” and the proposed project would have no impact on coastal barrier resources.</p>
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance achieved during the Broad Review, as detailed below. Tulsa County contains approximately 73,181.4 acres of FEMA-designated Special Flood Hazard Areas (SFHA) (See Figure A9-1). Potential sites are within the FEMA-designated floodplain (100- or 500-year floodplain). Properties acquired will be deed restricted to remain as green space, recreational space, or floodplain management areas in perpetuity, and existing structures will be demolished. This requirement will be recorded as a permanent restrictive covenant on the property to ensure that the beneficial land use designation will not change in the future. <u>Conclusion:</u> Funding for this project will be used for demolition and site clearance and includes no activities that would require further evaluation under this section. The project does not require flood insurance because it will not result in the creation of insurable property. The project is in compliance with Flood Insurance requirements.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5</p>		
<p>Clean Air</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance achieved in the Broad Review as detailed below.</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
<p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>		<p>Emissions associated with project activities are estimated to be well below <i>de minimis</i> thresholds under the General Conformity Rule. Section 176(c) of the Clean Air Act (CAA) requires that any federally funded activity in a nonattainment or maintenance area conforms to the State Implementation Plan (SIP). Conformance with the SIP requires the project activity not to:</p> <ul style="list-style-type: none"> • Cause or contribute to a new violation of any standard in any area; • Increase the frequency or severity of any existing violation of any standard in any area; or • Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area. <p><u>NAAQS</u> The State of Oklahoma is in attainment for all criteria pollutants.</p> <p><u>Emissions from proposed project</u> Direct emissions from project activities are associated with mobile sources used during demolition activities, which include plate compactors, loaders, backhoes, cranes, tractors, and excavators. No, or minimal, indirect emissions associated with project activities are anticipated. Project activities would not delay attainment of NAAQS or contribute to a new or existing violation. Demolition and construction activities may contribute to temporary, short-term emissions of dust proximate to the project site but are not expected to affect air quality. Implementation of Best Management Practices (BMPs) during construction and demolition activities would contribute to dust suppression.</p> <p><u>Asbestos</u> Demolition activities will be conducted in accordance with regulations found at 40 CFR § 61.145 - standard for demolition and renovation.</p> <p><u>Conclusion</u> Tulsa County does not anticipate that project activities would have any significant impact on air quality, and the proposed action is not expected to exceed <i>de minimis</i> thresholds established under 40 CFR 93.153. Therefore, the proposed action is exempt from General Conformity requirements and is in compliance with the CAA.</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance achieved in the Broad Review as detailed below. According to the National Oceanic and Atmospheric Administration (NOAA) Office for Coastal Management (OCM) accessed at https://coast.noaa.gov/czm/mystate/, the entire state of Oklahoma is not located within a Coastal Management Zone. Therefore, the proposed undertaking is in compliance with HUD's Coastal Zone Management Act regulations and no consultation nor mitigation measures are warranted. <u>Conclusion</u> This project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)]</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Compliance will be achieved during site-specific review. Under 24 CFR Part 58.5(i)(2), HUD requires that all property 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 occupants or conflict with the intended utilization of the property.</p> <ol style="list-style-type: none"> 1. Environmental review of acquired sites will include previous uses of the site and other evidence of contamination on or near the site, to assure that the property is free of contamination. 2. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes. 3. The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary. <p><u>Hazardous Materials</u> Tulsa County will review NEPAassist and/or Oklahoma DEQ's GIS Data Viewer platform for each project site. NEPAassist provides findings from EPA's Superfund List (CERCLIS), National Priorities List (NPL), National Pollutant Elimination Discharge System (NPDES), Toxic Release Inventory, Brownfields, Air Facility Systems, and Hazardous Waste (RCRA) databases. The DEQ's GIS Data Viewer provides Solid & Hazardous Waste Facilities, Voluntary Cleanup Program, Tier II, Site Cleanup Assistance Program and</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
		<p>Remediation Institutional Controls data pulled from state and federal sources, including NEPAAssist (See Table A5-1). Each site-specific review will provide a toxics and contamination site map showing the nearby toxic and contaminated sites in relation to the proposed project. The review may also include any other data layers or databases necessary to demonstrate compliance with this section. See Table A5-2 for hazardous facility search radii.</p> <p>A site-inspection would be conducted for each potential site by or on behalf of Tulsa County. The site inspection would report 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.</p> <p><u>Asbestos</u></p> <p>All demolition activities must comply with applicable federal, state and local laws and regulations regarding asbestos:</p> <ul style="list-style-type: none"> • 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; • 252:100-40-1 Control of Emission of Friable Asbestos During Demolition and Renovation Operations. <p><u>Conclusion</u></p> <p>Individual project sites will be evaluated during the site-specific review process in accordance with the above findings.</p> <p>See Site-Specific Review Strategy and Checklist, Appendix B.</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review as described below.</p> <p>USFWS' Information for Planning and Consultation (IPaC) system was consulted to obtain a preliminary USFWS species list of Tulsa County. 8 protected species were identified in the IPaC results: Tricolored Bat, Piping Plover, Red Knot, Alligator Snapping Turtle, Peppered Chub, Neosho Mucket</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
		<p>Rabbitsfoot and American Burying Beetle. No critical habitats were identified within Tulsa County. (See Figure A6-1).</p> <p>The proposed activities include acquisition and demolition of existing structures, with the intent of converting the parcels to beneficial open greenspace. The proposed activities are not anticipated to affect threatened or endangered species.</p> <p>Site-specific scopes of work will be reviewed, and project locations will be mapped using GPS locations, for compliance with the USFWS Tulsa Ecological Services Office No Impacts Letter dated August 2022 (see Figure A6-3). If the proposed project includes ground disturbance outside of the developed lot or is within 300 feet of National Wetland Inventory (NWI) mapped wetlands, wildlife refuge, fish hatchery, wildlife management area, or related significant fish and wildlife resources, the project will be reviewed in the USFWS IPaC, with the inclusion of the American burying beetle determination key. If a determination of “No Effect” cannot be reached through IPaC review, consultation with the USFWS service will be required.</p> <p>Consultation with the Oklahoma Natural Heritage Inventory returned a preliminary species list that includes the Bald Eagle (see Figure A6-2). Bald Eagle occurrences within the VBTA and DRRR are not expected.</p> <p><u>Conclusion</u> Individual project sites will be evaluated during the site-specific review process in accordance with the above findings. See Site-Specific Review Strategy and Checklist, Appendix B.</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance will be achieved during the broad level review as described below.</p> <p>Project activities will not result in an increase in residential density (i.e., increasing the bedrooms in a home, adding rental units, new residential construction) and therefore do not require an evaluation of explosive and flammable hazards.</p> <p><u>Conclusion</u> The proposed action is in compliance with 24 CFR Part 51 Subpart C.</p>
<p>Farmlands Protection</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance will be achieved during the Broad Review as described below.</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
<p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>		<p>Project activities on previously disturbed ground are compliant with the Farmlands Protection Policy Act. This project does not include any activities that could potentially convert agricultural land to a non-agricultural use – acquisition and demolition of existing structures and projects on land already zoned non-agricultural.</p> <p><u>Conclusion</u> The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review.</p> <p>Tulsa County determined that project activities associated with VBP may be located in, or affect, the 100-year floodplain.</p> <p>The first six steps of the 8-step floodplain decision making process in 24 CFR 55.20 b(3) have been completed for the proposed project. No comments were received on the public notice published as part of Step 2 of the process. It was concluded that there is no practicable alternative to implementing the proposed project in the 100-year floodplain in Tulsa County. Step 7 is the publication of a final floodplain notice, which will be combined with the Notice of Finding of No Significant Impact and the Notice of Intent to Request Release of Funds (see Appendix C). The final public notice will be published in accordance with 24 CFR Part 55 for a 15-day public comment period. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. The 8-step process is provided in Figure A9-2.</p> <p>Placement of fill in the floodplains of nontidal rivers and streams is prohibited under the Flood Hazard Area Control Act rules, and activities involving fill in these areas would not be eligible for funding.</p> <p><u>Conclusion</u> Individual project sites will be evaluated during the site-specific review process in accordance with the above findings. See Site-Specific Review Strategy and Checklist, Appendix B.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 (54</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review.</p> <p>The proposed activities must be evaluated at the site-specific level. An SOI qualified individual will review each site for compliance with Section 106 of</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
<p>U.S.C. 306108) and 110 (54 U.S.C. 306101); 36 CFR Part 800</p>		<p>the NHPA. Tulsa County will initiate consultation with the Oklahoma State Historic Preservation Officer (SHPO) if needed when the project is ready for review and consider the following:</p> <ul style="list-style-type: none"> • Evaluating whether the funded activity has the potential to affect a historic property, regardless if any are known to exist at the project site; • If activities may have an effect, provides the process for determining whether the property is listed on or eligible for the NRHP; • If there is a historic property or district, assessing effects on the characteristics that qualify it for the NRHP <p>Hard copies of the consultation form will be submitted to the Oklahoma SHPO that include a detailed project description, maps, photographs and relevant survey forms. The SHPO will have 30 days to comment on the project. If no comments are received in 30 days, SHPO concurrence with the project may be assumed.</p> <p>Project activities would not result in new in-ground disturbance, and all project sites have been previously disturbed. Therefore, consultation with Tribal Governments is not anticipated.</p> <p><u>Conclusion</u> Individual project sites will be evaluated during the site-specific review process in accordance with the above findings. See Site-Specific Review Strategy and Checklist, Appendix B.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Compliance will be achieved during the broad level review.</p> <p>HUD has determined that 24 CFR Part 51 Subpart B is not applicable to disaster recovery programs provided that the disaster assistance is 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. Therefore, project activities that do not increase residential density and involve rehabilitation or reconstruction on the same parcel of land do not require additional review.</p> <p><u>Conclusion</u> The project is in compliance with the Noise Control Act of 1972 and 24 CFR Part 51 Subpart B.</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance will be achieved during the broad level review. There are no sole source aquifers in Tulsa County. Therefore, consultation with the USEPA would not be required. <u>Conclusion</u> The project is in compliance with the Safe Water Drinking Act of 1974 and 40 CFR Part 149.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review. Tulsa County determined that project activities associated with Voluntary Buyout Program may be located in or affect wetlands. The first six steps of the 8-step wetlands decision making process in 24 CFR 55.20b(3) have been completed for the proposed project. No comments were received on the public notice published as part of Step 2 of the process. It was concluded that there is no practicable alternative to implementing the proposed project in the wetlands in Tulsa County. Step 7 is the publication of a final wetlands notice, which will be combined with the Notice of Finding of No Significant Impact and the Notice of Intent to Request Release of Funds (see Appendix C). The final public notice will be published in accordance with 24 CFR Part 55 for a 15-day public comment period. All comments received during the comment period will be addressed prior to funds being committed to the proposed project. A summary of the 8-step process is provided as Figure A9-2. Project activities would involve acquisition and demolition of properties on previously disturbed parcels. Though wetland impacts are not considered likely, BMPs for erosion and sedimentation control would be implemented as part of the VBP. Such BMPs would include:</p> <ul style="list-style-type: none"> • Wetlands on or in the vicinity of the project site are to be protected from any unnecessary construction activities or disturbance. • Vegetation and exposed soil are to be reestablished as soon as possible after work has been completed. • Existing drain inlets are to be protected from debris, soil, and sedimentation. • No heavy equipment is to be operated within wetlands.

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
		<p>If the proposed activities were to be located in or over waters of the United States, a United States Army Corps of Engineers (USACE) permit under the Rivers and Harbor Appropriation Act of 1899 would be required. Any project that is not consistent with the Rivers and Harbors Appropriation Act of 1899 would not be funded.</p> <p><u>Conclusion</u> Individual project sites will be evaluated during the site-specific review process in accordance with the above findings. See Site-Specific Review Strategy and Checklist, Appendix B.</p>
<p>Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Compliance achieved during the Broad Review as described below. This project is not within proximity of a National Wild and Scenic River System river, Study Rivers, or Nationwide Rivers Inventory rivers. There are no wild or scenic rivers currently registered in Tulsa County.</p> <p><u>Conclusion</u> The project is in compliance with the Wild and Scenic Rivers Act of 1968.</p>
<p>Environmental Justice Executive Order 12898</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Compliance is achieved in the Broad Review as detailed below. Per Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations", HUD is required "...to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations."³ The proposed project activities involve acquisition of properties and demolition of damaged structures located within the VBTA and DRRA, allowing Low-to-Moderate-Income (LMI) persons to relocate to a safer area. The buyouts will reduce the financial impact on federal, state, and local governments from future flooding disasters. The program may also serve non-LMI property owners in target areas to reduce future harm caused by repeat flooding events. Ultimately, the program will address the unmet housing needs of</p>

³ Environmental Justice. HUD Exchange. Available at: <https://www.hudexchange.info/programs/environmental-review/environmental-justice/>. Accessed: 02/2023.

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6</p>	<p>Was compliance achieved at the broad level of review?</p>	<p>If Yes: Describe compliance determinations made at the broad level. If No: Describe the policy, standard, or process to be followed in the site-specific review.</p>
		<p>the County by filling in the funding gap leftover from other forms of disaster assistance. The project will not negatively affect human health or have environmental effects on minority and low-income populations. The project aims to improve the quality of life within the area. <u>Conclusion</u> The project is in compliance with Executive Order 12898.</p>
<p>Essential Fish Habitat Magnuson-Stevens Fishery Conservation and Management Act</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance is achieved at the Broad review as detailed below. Oklahoma is not a coastal state, and no essential fish habitats are located in Tulsa County. <u>Conclusion</u> Because the proposed actions will take place on land (and not in or over essential fish habitat) proposed project activities would not have a significant adverse effect on essential fish habitat and is in compliance with the Magnuson-Stevens Fishery Conservation and Management Act.</p>

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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<p>Project activities would include acquisition of land in the floodplain, demolition, and conversion of land to permanent green space. The work associated with creation of green space could include grading and slope stabilization, and drainage improvements.</p> <p>The overall goal of the project is to remove properties from the floodplain and restore the space to a more compatible use.</p> <p>All construction related to project activities would conform to all local and state regulations governing scale and urban design, and there would be no negative impacts.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>All project activities would occur on existing residential lots where slope concerns will be addressed during demolition. The project parcels will be assessed for suitability, and slope, erosion, drainage, and stormwater runoff will be considered when parcels are graded and seeded, or otherwise restored.</p> <p>All activities would be assessed for potential mitigation as part of local and county requirements. The demolition contractor would enact BMPs to prevent any storm water runoff during project activities.</p>
Hazards and Nuisances including Site Safety and Noise	3	<p>Noise levels would temporarily increase during demolition activities. All construction activities would comply with local and EPA ordinances for noise. These impacts would be minor and temporary, and with Best Management Practices (BMPs) and local ordinances in place would not be expected to result in significant adverse impacts.</p> <p>Site safety would require BMPs to comply with local and county ordinances governing construction sites, site safety, and site access. Significant adverse impacts are therefore not expected.</p>
Energy Consumption	2	<p>Construction activities would include standard tools and equipment for residential construction and demolition. Work will occur in existing residential/commercial area and utilities will be disconnected as part of the demolition process. It is expected that the energy demands from construction and operation of the project sites would be commensurate with pre-storm levels. No impacts are anticipated as a result.</p>
SOCIOECONOMIC		
Employment and Income Patterns	2	<p>Project activities would be expected to add new jobs to the local economy in the short-term for construction-related activities. After demolition is complete, employment and income patterns are expected to return to pre-storm levels. As a result, no impacts are anticipated.</p>
Demographic Character Changes, Displacement	3	<p>The proposed project applicants can choose to accept program funds if they agree to move to a new property, which could be located in a new community. Therefore, the project could result in minor changes in demographics. However, because relocation would be voluntary, displacement would only occur based on the applicant's decision.</p>
Environmental Justice	2	<p>No significant adverse environmental impacts were identified during the broad level environmental review and any adverse impacts identified during the site-specific review stage would be mitigated or avoided through required mitigation measures. Any projects that are</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
		<p>unable to mitigate identified impacts would not be funded through the program.</p> <p>Tulsa County, through adopting the State Action Plan, has identified and implemented steps to ensure that their CDBG-DR programs, including those covered under this broad level review, would not have an unjustified discriminatory effect on or failure to benefit vulnerable populations and underserved communities. Project activities would help applicants find decent, safe and sanitary housing located outside of the floodplain. The program will prioritize LMI individuals located in the floodplain. Therefore, the project is not expected to result in disproportionate adverse environmental or health impacts.</p>
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	Project activities would enable impacted applicants to relocate to different communities within Tulsa County or stay in the same community, but outside of the DRRA. The number of applicants relocating is not expected to result in increased need for access to educational and cultural facilities.
Commercial Facilities	2	Project activities are not expected to affect access to commercial facilities. No impact is anticipated.
Health Care and Social Services	2	Project activities would not result in an increase in population, and there would therefore not be an increase in health care and social service utilization. The relocated population is expected to continue to be adequately covered for health and social services. No impact is anticipated.
Solid Waste Disposal / Recycling	3	Significant quantities of solid waste may result from project activities, which include demolition. Federal, state, county, and local ordinances would require the proper disposal of all hazardous materials (e.g., lead-based paint and asbestos containing materials) and the disposal of construction-generated waste. Relocated residents would move to different areas of the County, and an increase in demand for solid waste and recycling services is not expected. Minor adverse impacts are anticipated from demolition activities, which would be temporary and mitigated based on federal, state, and local requirements.
Waste Water / Sanitary Sewers	2	Project activities would not result in an increase in population and therefore would not impact wastewater and sanitary sewers. Applicants and program contractors will follow all applicable regulations, permits and BMPs to minimize any potential impacts (See Conditions for Approval).
Water Supply	2	Project activities would not result in an increase in population and therefore would not impact water supply.
Public Safety - Police, Fire and Emergency Medical	2	Project activities would not result in an increase in population and therefore would not increase demand for police, fire and/or emergency medical services.
Parks, Open Space and Recreation	1	The proposed project activities will convert existing housing stock in the floodplain to areas that will be permanent green space, which could include parks or passive recreation facilities. As such, a minor beneficial impact to the area is anticipated.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Transportation and Accessibility	2	While there may be increases in construction traffic, this increase would be minor and temporary and would not result in impacts to transportation and accessibility due to the proposed project.
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	Unique natural features are primarily geological features that are rare or of special social/cultural, economic, educational, aesthetic, or scientific value. HUD considers development on or near natural features to have the ability to render those features inaccessible to investigators or visitors, degrade their value, or otherwise limit potential future use and appreciation of those resources. Project activities would involve the demolition of structures on previously disturbed residential parcels. Each project site has been evaluated for its potential to impact the surrounding environment and, where necessary, mitigation measures and BMPs have been placed to reduce, avoid, or minimize potential impacts. With this analysis and required mitigation/BMP measures in place, no impacts are anticipated.
Vegetation, Wildlife	2	The demolition of homes within existing lots would not be expected to impact vegetation or wildlife. Any mitigation that is required as a result of the site-specific review would ensure that no impacts occur. Any projects that may affect Federally listed species would be required to either mitigate potential impacts or find a suitable project alternative. Therefore, no impacts are anticipated.
CLIMATE AND ENERGY		
Climate Change Impacts	2	Future climate impacts on Tulsa County would include increases in temperature, frequency and intensity of storm events, and an overall decrease in precipitation, among others. The U.S. Climate Resilience Toolkit <i>The Climate Explorer</i> data tool provides climate projections at the county level. Tulsa County is projected to see a less than 1 percent decrease in precipitation (from 39.1 inches to 38.9 inches) of rain per year from the 1961-1990 observed average by the 2050s. Conversely, Tulsa County is expected to see a 7 percent increase in Average Daily Maximum Temperature (from 71.4°F to 76.4°F) from the 1961-1990 observed average by the 2050s. Since the activities will result in conversion of land into greenspace, the project is not expected to contribute to climate change and impacts from climate change on the proposed projects are expected to be minimal.
Energy Efficiency	2	The project activities would demolish structures in the floodplain and voluntarily relocate individuals to different areas of the County. Therefore, there is no expected increase in demand on local infrastructure as a result of project activities.

Additional Studies Performed:

No additional studies were required for the Tier 1 Broad Review. Additional studies may be required in subsequent Tier 2 site-specific reviews.

Field Inspection (Date and completed by):

A field inspection was not needed for Tier 1 Broad Review. Field inspections will be completed for each Tier 2 site-specific review.

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

U.S. Census. 2020. Available at: <https://www.census.gov/programs-surveys/decennial-census/decade/2020/2020-census-results.html>. Accessed: February 2023.

U.S. Climate Resilience Toolkit. Available at <https://toolkit.climate.gov/#climate-explorer>. Accessed: February 13th, 2023.

U.S. Department of Housing and Urban Development (HUD). Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Notice. 2020. Available at: [FR-6182-N-01 Allocation Notice for CDBG-DR Grantees \(hudexchange.info\)](https://www.hudexchange.info/programs/cdbg-dr/allocations-notice). Accessed February 14, 2023.

HUD. HUD Exchange: Environmental Assessment. Available at: <https://www.hudexchange.info/programs/environmental-review/environmental-assessment/>. Accessed: February 2023.

Additional sources, agencies and persons consulted are located within Attachments 1-16.

List of Permits Obtained:

All required and necessary permits will be specified within the Tier 2 site-specific environmental reviews.

Public Outreach [24 CFR 50.23 & 58.43]:

An early Floodplain/Wetlands public notice was published in local newspapers and provided the public a notification and request for comments on the proposed action. The Tier 1 Broad Review was posted to the Tulsa County website and a combined public notice (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds and Final Notice and public Explanation of a Proposed Activity in a 100-Year Floodplain/Wetland) was published in local newspapers, which provided the public an opportunity to review the Tier 1 EA and provide comments on the proposed action. Early and Final notices/affidavits of publication are provided within Appendix A: Attachment 9.

Cumulative Impact Analysis

[24 CFR 58.32]:

The proposed programs would not contribute to significant impacts on environmental resources. The proposed VBP would involve the acquisition and demolition of storm-damaged residences within the VBTA and DRRRA. Acquired properties will be deed-restricted in perpetuity to remain as greenspace, floodplain management areas, or parks. The proposed programs would improve the resiliency of Tulsa County housing and create beneficial open spaces, which will have a cumulative benefit to the region.

The number of properties involved creates the potential for cumulative impacts. The proposed activities may have minor and temporary environmental impacts during the demolition phase. Potential impacts will be mitigated through the mitigation measures and conditions described below, as well as any identified during the site-specific analysis. If mitigation is not possible, then the proposed activities on the site would not be eligible for funding consideration. Furthermore, the proposed programs would

have the long-term benefit of relocating low to moderate income Tulsa County residents to areas deemed decent, safe and sanitary outside of the floodplain.

Alternatives

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

VBP would provide grants to eligible owners of single-family homes and rental properties for activities necessary to relocate from the VBTA and DRRRA. The proposed programs would assist property owners in finding DSS housing. No other alternatives were considered, as they would not serve to meet the program goal of protecting life and property by removing housing stock from the DRRRA.

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

Under the No Action Alternative, property owners would not receive financial assistance as part of the VBP to acquire their property, demolish damaged residential structures, and relocate outside of the VBTA or DRRRA. As a result, low to moderate income residents and their properties would remain vulnerable to future flooding events. The State's capability of meeting the housing needs of LMI households and participants of federal buyout programs would remain limited.

The No Action Alternative would not address the purpose and need of the project.

Summary of Findings and Conclusions

Based upon completion of this Broad Review environmental assessment, environmental review of the VBP indicates that there will be no significant impact changes to existing environmental conditions across the impact categories, with the possible exception of the subject areas listed below.

- Contamination and Toxic Substances
- Endangered Species
- Floodplain Management
- Historic Preservation
- Wetland Protection

The above subject areas require site-specific analysis before it can be concluded that the proposed project activities would have no significant environmental impacts on an individual site. The Tier 2 Site-Specific Review Form can be found in Appendix B. The Tier 2 must be completed prior to the proposed activities occurring on a particular site.

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

This section presents mitigation measures adopted by Tulsa County to reduce, avoid, or eliminate adverse environmental impacts and to avoid noncompliance or nonconformance with the above-listed authorities and factors. These general measures/conditions, along with site-specific conditions identified during implementation of the site-specific strategy (Appendix B), will be incorporated by Tulsa County into project contracts, development agreements, and other relevant documents.

GENERAL ENVIRONMENTAL GRANT CONDITIONS

1. Acquire all required federal, state, and local permits prior to construction and comply with all permit conditions.
2. If the scope of work of a proposed activity changes, the application for funding must be revised and resubmitted for reevaluation under NEPA.

Historic Preservation

3. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through consultation with the Oklahoma SHPO, Oklahoma Archaeological Survey and Native Tribes with interests in Tulsa County.
4. If project activities uncover archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, the project shall be halted and the applicant shall immediately stop work in the vicinity of 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 applicant will inform Tulsa County and Tulsa County will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

Endangered Species

5. Incorporate all guidance, BMPs, and mitigation measures provided by USFWS if consultation is required.

Floodplain Management and Flood Insurance

6. After demolition, all parcels must be graded and seeded or otherwise restored to protect floodplain values.
7. No new structure, paving, or other improvements shall be constructed on, and no new modifications or landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding or seeding, or other similar activities) shall be carried out within the floodplain and it shall be limited solely to passive open or green space.

Wetlands Protection and Water Quality

8. Implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters and to prevent erosion in onsite and off-site wetlands and waters.
9. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.

Noise Quality

10. Outfit all heavy equipment with operating mufflers.
11. If applicable, comply with local noise ordinances.

Air Quality

12. Use water or chemical dust suppressant to control excessive dust in exposed areas.
13. Cover the load compartments of trucks hauling dust-generating materials.
14. Wash heavy trucks and construction vehicles before site departure.
15. Reduce vehicle speed on non-paved areas and keep paved areas clean.
16. Retrofit older equipment with pollution controls.
17. Establish and follow specified procedures for managing contaminated materials, including friable ACM discovered or generated during construction.
18. Minimize idling and ensure that all on-road vehicles and non-road construction equipment at the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 89, 94, 1039, 1051, 1065, 1068).
19. If possible, operate newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines or an exhaust retrofit device.

Hazardous Materials

20. All activities must comply with applicable federal, state, and county laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
21. Applicant must comply with all laws and regulations concerning the proper handling, removal, and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods). Contaminated materials must be disposed of according to State and local standards, at an approved landfill.
22. Employ spill mitigation measures immediately upon a spill of hazardous material.

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: Robert Greene Date: 4/3/2023

Name/Title/Organization: ICF

Responsible Entity Agency Official Signature:

Kelly Dunkerley Date: 4/4/2023

Name/Title: Kelly Dunkerley Chairman

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).

This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.

Attachment 1 – Airport Hazards

24 CFR 51(d)

Table A1-1: Airports in Tulsa County

Airports in Tulsa County	Airport Type
Tulsa Riverside	Civil
Tulsa International	Civil

Civil Airports are defined by U.S. Housing and Urban Development Regulation § 51.301 “An existing commercial service airport as designated in the National Plan of Integrated Airport Systems (NPAIS) prepared by the Federal Aviation Administration in accordance with section 504 of the Airport and Airway Improvement Act of 1982.” NPAIS defines commercial service airports as “publicly owned airports that have at least 2,500 passenger boardings each calendar year and receive scheduled passenger service (49 USC 47102(7)).”

Table A1-2: Airport Hazards Sources

Agency	Link	Accessed Date	Dataset Date
Bureau of Transportation Statistics	https://www.bts.gov/ntad	02/14/2023	01/26/2023
Federal Aviation Administration	https://www.faa.gov/airports/planning_capacity/npas/current/2023_NPIAS_Appendix_A	2/10/2023	8/2/2022

Agencies/Regulations Consulted During Broad Review:

U.S. Department of Housing and Urban Development (HUD) Regulations

U.S. Department of Transportation

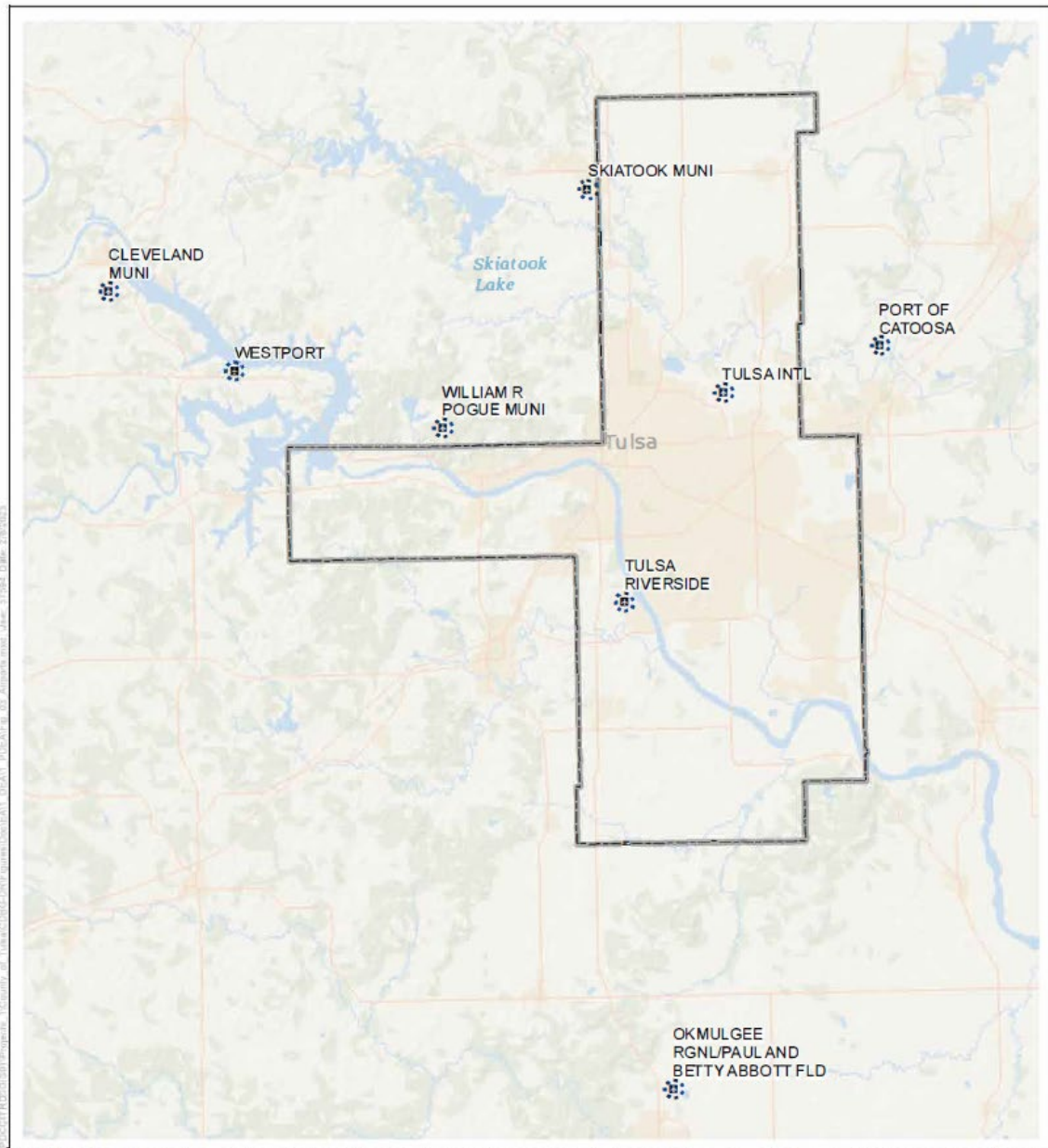
Supporting Documentation:


Figure A1-1: Airports Map Tulsa County, OK

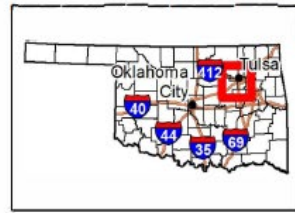
Figure A1-2: Federal Aviation Administration’s National Plan of Integrated Airport Systems Airports

ENVIRONMENTAL FINDING: Compliance has been achieved at the Tier 1 Broad Level Review since the project activities consist only of acquisition and demolition, and the project areas will remain uninhabited. Evaluation at the site-specific level is not required.

Figure A1-1: Airports Map – Tulsa County, OK



-  Tulsa County
-  Civil Airport
-  Civil Airport 2,500ft





 0 2.5 5 Miles
 1:480,000
 Source: BTS 2023

Airports - Tulsa County

Figure A1-2: Federal Aviation Administration’s National Plan of Integrated Airport Systems

Oklahoma

City	Airport	LocID	Owner-ship	Svc Lvl (FY23)	Hub (FY23)	Role (FY23)	Enplaned (CY21)	Based (CY21) Aircraft	Development Estimate 2023-2027
Ada	Ada Regional	ADH	PU	GA		Local	22	43	\$4,525,284
Altus	Altus/Quartz Mountain Regional	AXS	PU	GA		Local	0	29	\$4,226,556
Alva	Alva Regional	AVK	PU	GA		Local	0	38	\$7,149,742
Antlers	Antlers Municipal	80F	PU	GA		Basic	0	12	\$3,177,593
Ardmore	Ardmore Downtown Exec	1F0	PU	GA		Local	0	36	\$1,171,834
Ardmore	Ardmore Municipal	ADM	PU	GA		Regional	0	17	\$21,670,489
Atoka	Atoka Municipal	AQR	PU	GA		Basic	0	12	\$3,285,110
Bartlesville	Bartlesville Municipal	BVO	PU	GA		Regional	5	36	\$5,472,976
Beaver	Beaver Municipal	K44	PU	GA		Basic	0	4	\$2,060,634
Blackwell	Blackwell-Tonkawa Municipal	BKN	PU	GA		Basic	0	12	\$6,003,388
Boise City	Boise City	17K	PU	GA		Basic	0	9	\$1,438,889
Bristow	Jones Memorial	3F7	PU	GA		Basic	0	9	\$1,882,350
Buffalo	Buffalo Municipal	BFK	PU	GA		Basic	36	3	\$1,128,966
Burns Flat	Clinton/Sherman	CSM	PU	GA		Basic	0	10	\$2,238,000
Canadian	Carlton Landing Field	91F	PU	GA		Basic	0	10	\$1,016,666
Carnegie	Carnegie Municipal	86F	PU	GA		Basic	0	9	\$1,315,333
Chandler	Chandler Regional	CQB	PU	GA		Basic	0	12	\$8,409,774
Cherokee	Cherokee Municipal	4O5	PU	GA		Basic	0	10	\$1,596,439
Cheyenne	Mignon Laird Municipal	93F	PU	GA		Unclassified	0	2	\$0

Chickasha	Chickasha Municipal	CHK	PU	GA		Local	0	26	\$3,000,000
Claremore	Claremore Regional	GCM	PU	GA		Local	0	86	\$2,970,000
Cleveland	Cleveland Municipal	95F	PU	GA		Unclassified	0	5	\$0
Clinton	Clinton Regional	CLK	PU	GA		Local	0	18	\$4,056,026
Cordell	Cordell Municipal	F36	PU	GA		Unclassified	0	2	\$0
Cushing	Cushing Municipal	CUH	PU	GA		Local	0	27	\$8,335,550
Duncan	Halliburton Field	DUC	PU	GA		Regional	0	32	\$5,565,819
Durant	Durant Regional/Eaker Field	DUA	PU	GA		Regional	0	75	\$1,200,000
El Reno	El Reno Regional	RQO	PU	GA		Local	0	73	\$9,720,556
Elk City	Elk City Regional Business	ELK	PU	GA		Local	0	25	\$1,522,222
Enid	Enid Woodring Regional	WDG	PU	GA		Regional	0	70	\$6,230,168
Eufaula	Fountainhead Lodge Airpark	0F7	PU	GA		Unclassified	0	0	\$0
Eufaula	Eufaula Municipal	F08	PU	GA		Basic	0	10	\$3,228,523
Fairview	Fairview Municipal	6K4	PU	GA		Local	0	17	\$3,884,738
Frederick	Frederick Regional	FDR	PU	GA		Basic	0	13	\$1,573,056
Gage	Gage	GAG	PU	GA		Unclassified	0	4	\$0
Goldsby	David Jay Perry	1K4	PU	GA		Local	0	48	\$1,518,968
Grandfield	Grandfield Municipal	1O1	PU	GA		Unclassified	0	2	\$0
Grove	Grove Municipal	GMJ	PU	GA		Local	0	27	\$9,966,000
Guthrie	Guthrie/Edmond Regional	GOK	PU	GA		Regional	0	127	\$6,242,820
Guymon	Guymon Municipal	GUY	PU	GA		Regional	0	35	\$1,674,875
Healdton	Healdton Municipal	F32	PU	GA		Unclassified	0	0	\$0
Henryetta	Henryetta Municipal	F10	PU	GA		Unclassified	0	2	\$0
Hinton	Hinton Municipal	2O8	PU	GA		Basic	0	11	\$2,451,601
Hobart	Hobart Regional	HBR	PU	GA		Basic	0	10	\$5,583,334
Holdenville	Holdenville Municipal	F99	PU	GA		Basic	0	13	\$2,126,933
Hollis	Hollis Municipal	O35	PU	GA		Basic	0	10	\$1,806,200
Hominy	Hominy Municipal	H92	PU	GA		Basic	0	10	\$861,553

Hooker	Hooker Municipal	O45	PU	GA		Basic	0	10	\$1,355,555
Hugo	Stan Stamper Municipal	HHW	PU	GA		Basic	0	14	\$1,223,627
Idabel	McCurtain County Regional	4O4	PU	GA		Local	0	16	\$3,857,123
Ketchum	South Grand Lake Regional	1K8	PU	GA		Basic	0	11	\$13,870,351
Kingston	Lake Texoma State Park	F31	PU	GA		Unclassified	0	0	\$0
Lawton	Lawton-Fort Sill Regional	LAW	PU	P	N		39,336	53	\$12,853,522
Lindsay	Lindsay Municipal	1K2	PU	GA		Unclassified	0	3	\$0
Madill	Madill Municipal	1F4	PU	GA		Local	0	19	\$6,413,774
Mangum	Scott Field	2K4	PU	GA		Unclassified	0	6	\$0
McAlester	McAlester Regional	MLC	PU	GA		Local	0	26	\$3,454,444
Medford	Medford Municipal	O53	PU	GA		Unclassified	0	4	\$0
Miami	Miami Regional	MIO	PU	GA		Local	0	24	\$7,498,120
Mooreland	Mooreland Municipal	MDF	PU	GA		Unclassified	0	3	\$0
Muskogee	Muskogee-Davis Regional	MKO	PU	GA		Regional	26	86	\$9,813,460
Norman	University of Oklahoma Westheimer	OUN	PU	R		Regional	35	110	\$18,116,445
Okeene	Christman Airfield	O65	PU	GA		Unclassified	0	4	\$0
Okemah	Okemah Municipal	F81	PU	GA		Unclassified	0	0	\$0
Oklahoma City	Will Rogers World	OKC	PU	P	S		1,632,197	58	\$98,970,228
Oklahoma City	Wiley Post	PWA	PU	R		National	84	331	\$7,068,918
Oklahoma City	Clarence E Page Municipal	RCE	PU	GA		Local	0	44	\$8,716,076
Okmulgee	Okmulgee Regional	OKM	PU	GA		Local	0	20	\$2,925,000
Pauls Valley	Pauls Valley Municipal	PVJ	PU	GA		Local	0	35	\$12,753,149
Perry	Perry Municipal	F22	PU	GA		Local	0	19	\$3,683,068
Ponca City	Ponca City Regional	PNC	PU	GA		Local	0	40	\$3,071,671
Poteau	Robert S Kerr	RKR	PU	GA		Local	0	17	\$8,692,583

Prague	Prague Municipal	O47	PU	GA		Local	0	17	\$890,050
Pryor	Mid-America Industrial	H71	PU	GA		Basic	0	12	\$4,926,112
Purcell	Purcell Municipal - Steven E Shephard Field	3O3	PU	GA		Basic	0	10	\$2,741,043
Sallisaw	Sallisaw Municipal	JSV	PU	GA		Basic	0	14	\$5,705,889
Sand Springs	William R Pogue Municipal	OWP	PU	GA		Local	3	51	\$5,894,167
Sayre	Sayre Municipal	3O4	PU	GA		Basic	0	9	\$1,478,290
Seminole	Seminole Municipal	SRE	PU	GA		Local	0	24	\$7,693,440
Shawnee	Shawnee Regional	SNL	PU	GA		Local	0	40	\$5,460,007
Skiatook	Skiatook Municipal	2F6	PU	GA		Local	0	24	\$3,324,339
Stigler	Stigler Regional	GZL	PU	GA		Basic	0	12	\$4,103,636
Stillwater	Stillwater Regional	SWO	PU	P	N		20,328	78	\$20,711,896
Stroud	Stroud Municipal	SUD	PU	GA		Basic	0	10	\$1,579,999
Sulphur	Sulphur Municipal	F30	PU	GA		Unclassified	0	6	\$0
Tahlequah	Tahlequah Municipal	TQH	PU	GA		Local	0	36	\$2,173,795
Talihina	Talihina Municipal	6F1	PU	GA		Unclassified	0	1	\$0
Thomas	Thomas Municipal	1O4	PU	GA		Basic	0	9	\$866,667
Tishomingo	Tishomingo Airpark	0F9	PU	GA		Unclassified	0	0	\$0
Tulsa	Tulsa Riverside	RVS	PU	R		National	47	276	\$6,880,208
Tulsa	Tulsa International	TUL	PU	P	S		1,154,527	103	\$91,192,778
Vinita	Vinita Municipal	H04	PU	GA		Local	0	30	\$4,598,333
Wagoner	Hefner-Easley	H68	PU	GA		Local	0	33	\$1,946,778
Walters	Walters Municipal	3O5	PU	GA		Unclassified	0	1	\$0
Watonga	Watonga Regional	JWG	PU	GA		Local	0	19	\$3,716,660
Waynoka	Waynoka Municipal	1K5	PU	GA		Unclassified	0	1	\$0
Weatherford	Weatherford Stafford	OJA	PU	GA		Local	0	32	\$4,079,052
Wilburton	Wilburton Municipal	H05	PU	GA		Unclassified	0	7	\$0
Woodward	West Woodward	WWR	PU	GA		Regional	0	25	\$1,555,556

Attachment 2 – Coastal Barrier Resources

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]

Table A2-1: Coastal Barrier Resources - Tulsa County

Name	Unit Type	Acres
None	N/A	0
Total Area		0
Percentage of Tulsa County		0%

Table A2-2: Coastal Barrier Resources Sources

Agency	Link	Accessed Date	Dataset Date
U.S. Fish and Wildlife Service	https://www.fws.gov/program/coastal-barrier-resources-act/maps-and-data	02/14/2023	03/13/2019

Agencies/Regulations Consulted During Broad Review:

U.S. Fish and Wildlife Service (USFWS)

Supporting Documentation:

Figure A2-1: Coastal Barrier Resources Map – Oklahoma

ENVIRONMENTAL FINDING: Compliance has been achieved in the Tier 1 Broad Review since there are no Coastal Barrier Resources System areas in Oklahoma. Evaluation at a site-specific level is not required.

Figure A2-1: Coastal Barrier Resources Map – Tulsa County, OK



Attachment 3 – Clean Air

Clean Air Act, as amended, particularly section 176 (c) & (d); 40 CFR 6, 51, 93

Table A3-1: NAAQS - Tulsa County

National Ambient Air Quality Standards (NAAQS) Pollutant - Tulsa County	Attainment Status for 2022
All Criteria Pollutants	Attainment

Table A3-2: Clean Air Sources

Agency	Link	Accessed Date	Dataset Date
Oklahoma DEQ Air Quality Division	https://www.deq.ok.gov/air-quality-division/air-quality-rules-planning/	02/16/2023	N/A
Oklahoma DEQ Air Quality Division	Monitoring Air Data Report 2021.pdf (ok.gov)	02/14/2023	2021
U.S. EPA	https://www.epa.gov/green-book	3/26/2023	2023

Agencies/Regulations Consulted During Broad Review:

Oklahoma Department of Environmental Quality (DEQ)

ENVIRONMENTAL FINDING: Compliance with the Clean Air Act has been achieved through the Tier 1 Broad review since the proposed actions are not expected to exceed de minimis thresholds. Evaluation at a site-specific level is not required.

Attachment 4 – Coastal Zone Management

Coastal Zone Management Act, section 307 (c) & (d)

Table A4-1: Coastal Management Zones - Tulsa County

Coastal Management Zones in Tulsa County	0 acres (0%)
--	--------------

Table A4-2: Coastal Management Zones Source

Agency	Internet link	Accessed Date	Dataset Date
National Oceanic and Atmospheric Administration, Office for Coastal Zone Management	https://coast.noaa.gov/czm/	02/16/2023	N/A

Agencies/Regulations Consulted During the Broad Review:

N/A

Supporting Documentation:

ENVIRONMENTAL FINDING: Compliance with the Coastal Zone Management Act is achieved through broad level review since Tulsa County does not contain property in areas designated to be in a Coastal Zone. Evaluation at a site-specific level is not required.

Attachment 5 – Contamination and Toxic Substances

24 CFR 50.3(i) & 58.5(i)(2)

Table A5-1: EPA Hazardous Sites - Tulsa County:

Hazardous Site Type	Number in Tulsa County
Hazardous Waste (RCRAInfo)	1446
Air Pollution (ICIS-AIR)	398
Water Dischargers (NPDES)	175
Toxic Releases (TRI)	255
Superfund (NPL)	3
CERCLIS (Non-NPL)	175
Brownfields (ACRES)	77
Toxic Substances Control Act (TSCA)	47
Total:	2,576

Table A5-2: Potentially Hazardous Facility Review Radius Table

Potentially Hazardous Facilities	Review Radius (feet)
Federal Air Pollution Facility (ICIS-AIR)	250 feet
Federal Brownfields (ACRES)	3,000 feet
Federal Hazardous Waste (RCRAInfo)	250 feet
Federal Superfund (CERCLA and NPL)	3,000 feet
Federal Toxic Release Inventory (TRI)	250 feet
Federal Toxic Substances Control Act (TSCA)	250 feet
Federal Water Discharge (NPDES)	250 feet
State Known Contaminated Sites	3,000 feet
State Solid & Hazardous Waste Facilities	3,000 feet

Table A5-3: Contamination and Toxic Substances Sources

Agency	Link	Accessed Date	Dataset Date
ASTM International	https://www.astm.org/e1527-13.html	2/16/2023	2014
U.S. Environmental Protection Agency (EPA)	https://www.epa.gov/enviro/data-downloads	2/16/202	2/3/2023
U.S. Environmental Protection Agency (EPA)	https://www.epa.gov/superfund/superfund-data-and-reports	02/20/2023	1/25/2023
Oklahoma DEQ	https://gis.deq.ok.gov/maps/?page=page_0	02/10/2023	N/A

Agencies/Regulations Consulted During the Broad Review:

U.S. Environmental Protection Agency (EPA)

U.S. Department of Housing and Urban Development (HUD)

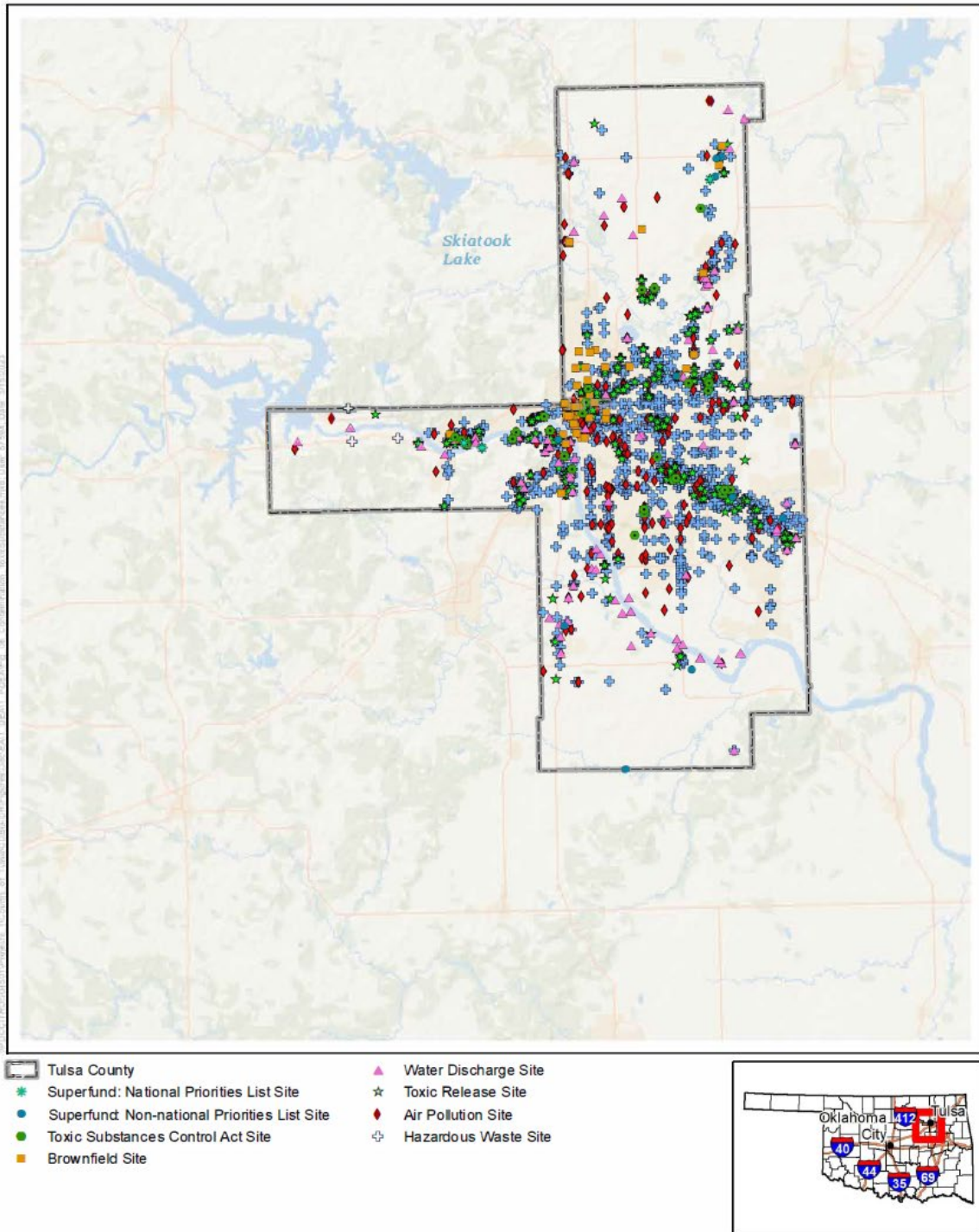
Oklahoma Department of Environmental Quality

Supporting Documentation:

Figure A5-1: EPA Contaminated and Toxic Substances Sites Map Tulsa County

ENVIRONMENTAL FINDING: Compliance will be achieved during site-specific review since VBP projects have the potential to be impacted by on-site or nearby toxic and contaminated substances and hazardous facilities. See Site-Specific Review Strategy and Checklist Appendix B.

Figure A5-1: EPA Contaminated and Toxic Substances Sites Map Tulsa County



Contamination & Toxic Substances - Tulsa County

Attachment 6 – Threatened, Endangered, and Migratory Species

Endangered Species Act of 1973, particularly section 7; 50 CFR 402

Migratory Bird Treaty Act of 1918, 50 CFR 10, 20, 21, Executive Order 13186

Table A6-1: Federally Listed Critical Habitat - Warren County:

Designated Critical Habitat in Tulsa County	Acres in Tulsa County
None	N/A

Table A6-2: Federally Listed Threatened, Endangered and Migratory Species - Tulsa County:

Species	Category	Status
Tricolored Bat	Mammals	Proposed Endangered
Piping Plover	Bird	Threatened
Red Knot	Bird	Threatened
Alligator Snapping Turtle	Reptiles	Proposed Threatened
Peppered Chub	Fish	Endangered
Neosho Mucket	Clam	Endangered
Rabbitsfoot	Clam	Threatened
American Burying Beetle	Insect	Threatened
Monarch Butterfly	Insect	Candidate
American Golden-plover	Bird	Migratory Birds
Bald Eagle	Bird	Migratory Birds
Black-billed Cuckoo	Bird	Migratory Birds
Bobolink	Bird	Migratory Birds
Chimney Swift	Bird	Migratory Birds
Eastern Whip-poor-will	Bird	Migratory Birds
Henslow's Sparrow	Bird	Migratory Birds
Lesser Yellowlegs	Bird	Migratory Birds
Little Blue Heron	Bird	Migratory Birds
Long-billed Curlew	Bird	Migratory Birds
Kentucky Warbler	Bird	Migratory Birds
Prothonotary Warbler	Bird	Migratory Birds
Red-headed Woodpecker	Bird	Migratory Birds
Ruddy Turnstone	Bird	Migratory Birds
Rusty Blackbird	Bird	Migratory Birds
Short-billed Dowitcher	Bird	Migratory Birds
Sprague's Pipit	Bird	Migratory Birds
Upland Sandpiper	Bird	Migratory Birds
Wood Thrush	Bird	Migratory Birds

Table A6-3: Threatened, Endangered and Migratory Species Sources

Agency	Link	Accessed Date	Dataset Date
U.S. Fish and Wildlife Service	https://www.fws.gov/program/endangered-species	02/10/2023	n/a
U.S. Fish and Wildlife Service	https://ipac.ecosphere.fws.gov/	02/08/2023	n/a
U.S. Fish and Wildlife Service	https://services.arcgis.com/QVENGdaPbd4LUkLV/ArcGIS/rest/services/USFWS_Critical_Habitat/FeatureServer	02/14/2023	11/10/2022

Agencies/Regulations Consulted During the Broad Review:

U.S. Fish and Wildlife Service (USFWS)

Oklahoma Department of Wildlife Conservation (ODWC)

Supporting Documentation:

Figure A6-1: USFWS Information for Planning and Consultation (IPaC) report - Tulsa County

Figure A6-2: Oklahoma Natural Heritage Inventory Species List

Figure A6-3: USFWS Actions with No Impacts to Federally Listed Species Letter

ENVIRONMENTAL FINDING: Compliance will be achieved during site-specific review since project activities have the potential to impact threatened and endangered species.

See Site-Specific Review Strategy and Checklist Appendix B.

Figure A6-1: USFWS Information for Planning and Consultation (IPaC) Report - Tulsa County



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467



In Reply Refer To: February 08, 2023
Project Code: 2023-0043325
Project Name: Tulsa County Residential Flood Recovery Program - Voluntary Buyout Program

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.*).

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:

Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
(918) 581-7458

Project Summary

Project Code: 2023-0043325

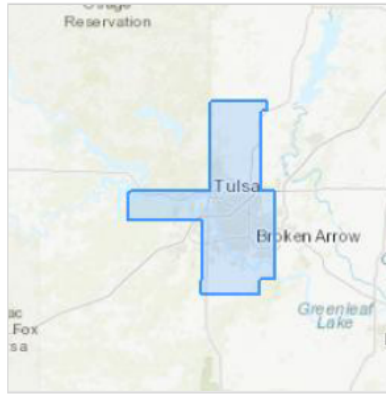
Project Name: Tulsa County Residential Flood Recovery Program - Voluntary Buyout Program

Project Type: Acquisition of Lands

Project Description: Arkansas River West section of project region - Anticipated demolition of residential homes and structures and change in land use from residential to greenspace, floodplain management, park, or other beneficial open space.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.140002949999996,-96.02981741298284,14z>



Counties: Tulsa County, Oklahoma

Endangered Species Act Species

There is a total of 9 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 Fisheries¹, 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.

-
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.

Mammals

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Reptiles

NAME	STATUS
Alligator Snapping Turtle <i>Macrochelys temminckii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4658	Proposed Threatened

Fishes

NAME	STATUS
Peppered Chub <i>Macrhybopsis tetranema</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/532	Endangered

Clams

NAME	STATUS
Neosho Mucket <i>Lampsilis rafinesqueana</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3788	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened

Insects

NAME	STATUS
American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

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](#).

-
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 [USEWS 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
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> 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 Sep 1 to Aug 31

NAME	BREEDING SEASON
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Jul 31
<p>Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Mar 15 to Aug 25
<p>Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Aug 20
<p>Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941</p>	Breeds May 1 to Aug 31
<p>Hudsonian Godwit <i>Limosa haemastica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 20 to Aug 20
<p>Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679</p>	Breeds elsewhere
<p>Little Blue Heron <i>Egretta caerulea</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Mar 10 to Oct 15
<p>Long-billed Curlew <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5511</p>	Breeds elsewhere
<p>Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10

NAME	BREEDING SEASON
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> 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 elsewhere
Sprague's Pipit <i>Anthus spragueii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8964	Breeds elsewhere
Upland Sandpiper <i>Bartramia longicauda</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9294	Breeds May 1 to Aug 31
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

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 (|)

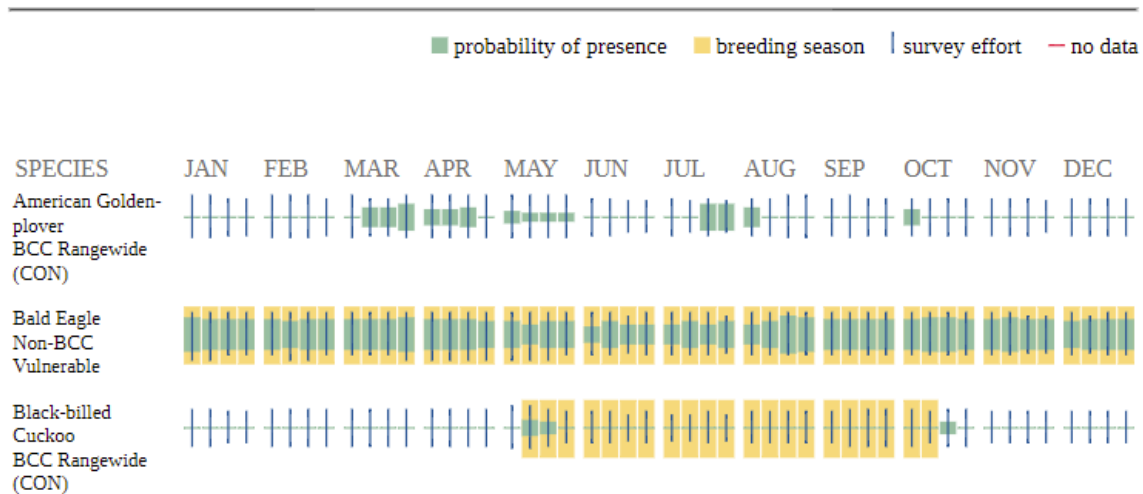
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

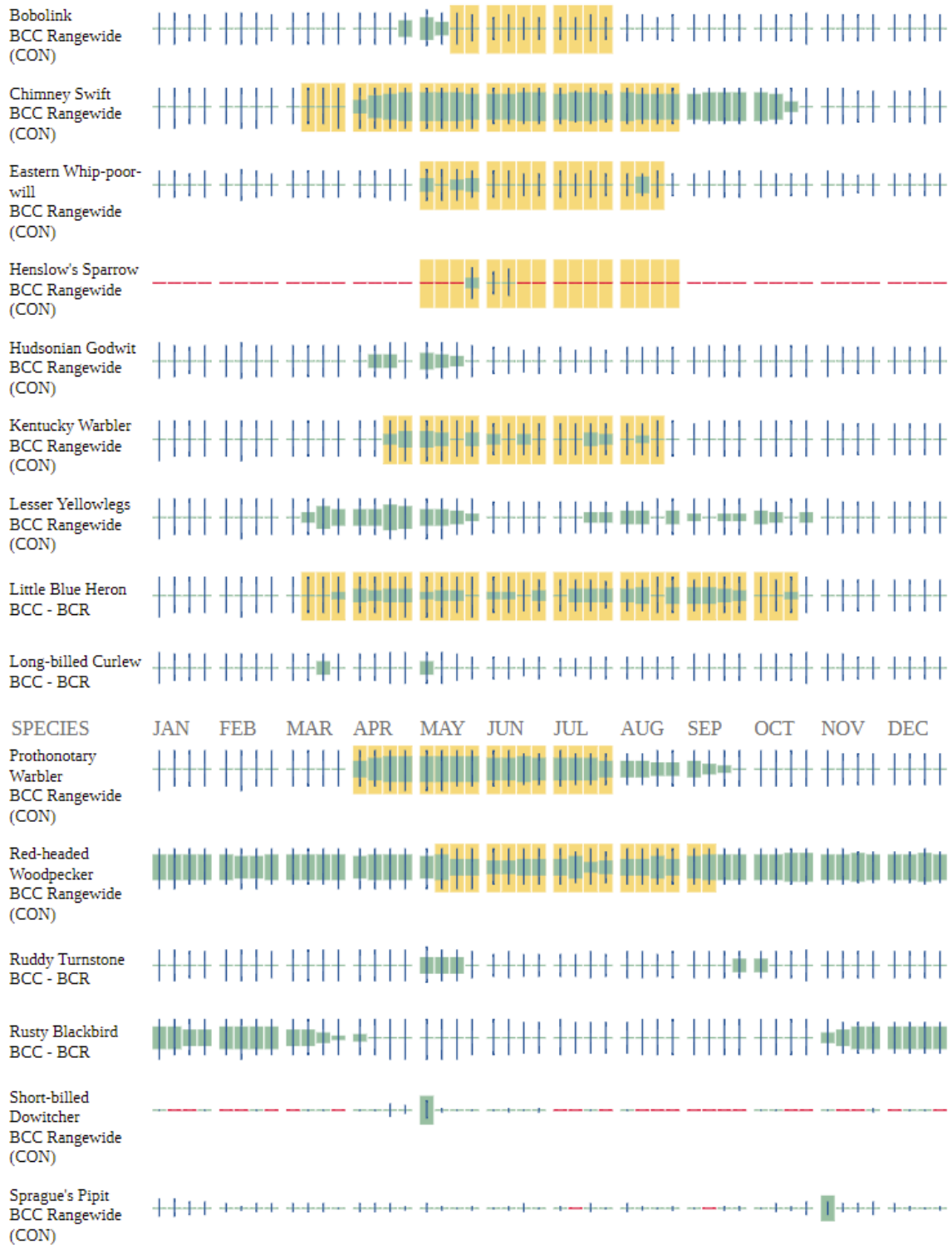
No Data (—)

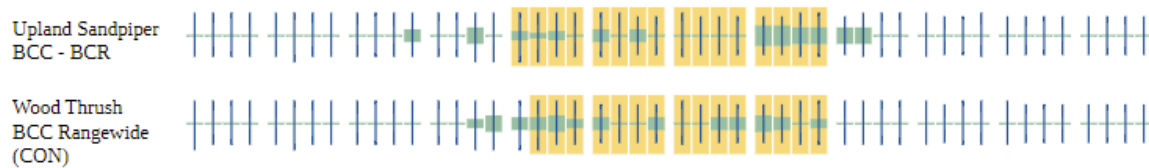
A week is marked as having no data if there were no survey events for that week.

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-incident-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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPaC User Contact Information

Agency: Oklahoma Department of Commerce

Name: Stephanie Corley

Address: 1902 Reston Metro Plz

City: Reston

State: VA

Zip: 20190

Email: stephanie.corley@icf.com

Phone: 7132131717

Figure A6-2: Oklahoma Natural Heritage Inventory Species List

OBS Ref. 2023-069-BUS-ICF

Dear Ms. Corley,

February 13, 2023

We have reviewed occurrence information on federal and state threatened, endangered or candidate species, as well as non-regulatory rare species and ecological systems of importance currently in the Oklahoma Natural Heritage Inventory database for the following location you provided:

Sec. 17-T19N-R12E (-95.94147546799996, 36.121088076000035), Tulsa County

We found 3 occurrence(s) of relevant species within the vicinity of the project location as described.

Species Name	Common Name	Federal Status
<i>Haliaeetus leucocephalus</i> County	Bald Eagle TRS	Protected Count
Tulsa	Sec. 14-T19N-R12E	1
Tulsa	Sec. 25-T19N-R12E	1
Tulsa	Sec. 26-T19N-R12E	1

Additionally, absence from our database does not preclude such species from occurring in the area.

If you have any questions about this response, please send me an email, or call us at the number given below.

Although not specific to your project, you may find the following links helpful.

ONHI, guide to ranking codes for endangered and threatened species:
<http://www.oknaturalheritage.ou.edu/content/biodiversity-info/ranking-guide/>

Information regarding the Oklahoma Natural Areas Registry:
<https://okregistry.wordpress.com/>

Todd Fagin
 Oklahoma Natural Heritage Inventory
 (405) 325-4700
tfagin@ou.edu

Figure A6-3: USFWS Actions with No Impacts to Federally Listed Species Letter



United States Department of the Interior
FISH AND WILDLIFE SERVICE
Ecological Services Program



Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, Oklahoma 74129
(918) 581-7458 (Office) / (918) 581-7467 (Fax)

August 2022

**ACTIONS WITH NO IMPACTS TO FEDERALLY-LISTED SPECIES OR
OTHER FEDERAL TRUST RESOURCES**

The U.S. Fish and Wildlife Service (Service) has determined that the following types of actions, individually and/or cumulatively, have no impacts to federally-listed species, federally-designated critical habitat, or any other federal trust fish and wildlife resources in Oklahoma.

- Administrative activities that do not include any physical land disturbance or alteration.
- Demolition and construction or placement of a single- or multi-family residence within a developed lot, and/or any loans or mortgages affiliated with such construction, demolition or placement, where additional ground disturbance outside of the developed lot is not necessary or is outside of 300 feet of National Wetland Inventory (NWI) mapped wetlands, wildlife refuges, fish hatcheries, wildlife management areas, or related significant fish and wildlife resources.
- Rehabilitation or renovation activities associated with existing structures (e.g., houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such rehabilitation or renovation.
- Acquisition of existing structures (e.g., houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such acquisition.
- Construction of safe rooms and storm shelters within existing structures or developed lots and/or any loans or mortgages affiliated with such construction.
- Purchase and placement of playground equipment within existing parks.
- Resurfacing, repairing, or maintaining existing streets, sidewalks, curbs, trails, parking lots and/or any other existing paved surfaces where additional ground disturbance, outside of the existing surface, is not necessary.
- Resurfacing, repairing, or maintaining existing airport runways, taxiways, and/or any other existing paved surfaces where additional ground disturbance, outside of the existing surface, is not necessary.
- Removal of trash and debris provided such removal does not involve soil disturbance.
- Removal of dead or dying trees in urban areas

Attachment 7 – Explosive and Flammable Hazard

24 CFR 51(c)

There are U.S. Department of Housing and Urban Development (HUD)-listed flammable/explosive substance containers within Tulsa County.

Sources:

Not applicable for Tier 1 EA.

Agencies/Regulations Consulted During Broad Review

U.S. Department of Housing and Urban Development (HUD)

Supporting Documentation

Not required.

ENVIRONMENTAL FINDING: Compliance will be achieved during the broad level review since the proposed action will not result in an increase in residential density. Evaluation at the Tier 2 level is not required.

Attachment 8 – Farmland Protection

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR 658

Table A8-1: Acres of Protected Farmland - Tulsa County

Category	Acres in Tulsa County
All areas are prime farmland	151,987.4
Not prime farmland	223,653.2
Total	375,640.7

Table A8-2: Farmland Protection Sources:

Agency	Internet link	Accessed Date	Dataset Date
U.S. Department of Agriculture	https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx	02/10/2023	11/8/2022

Agencies/Regulations Consulted During Broad Review

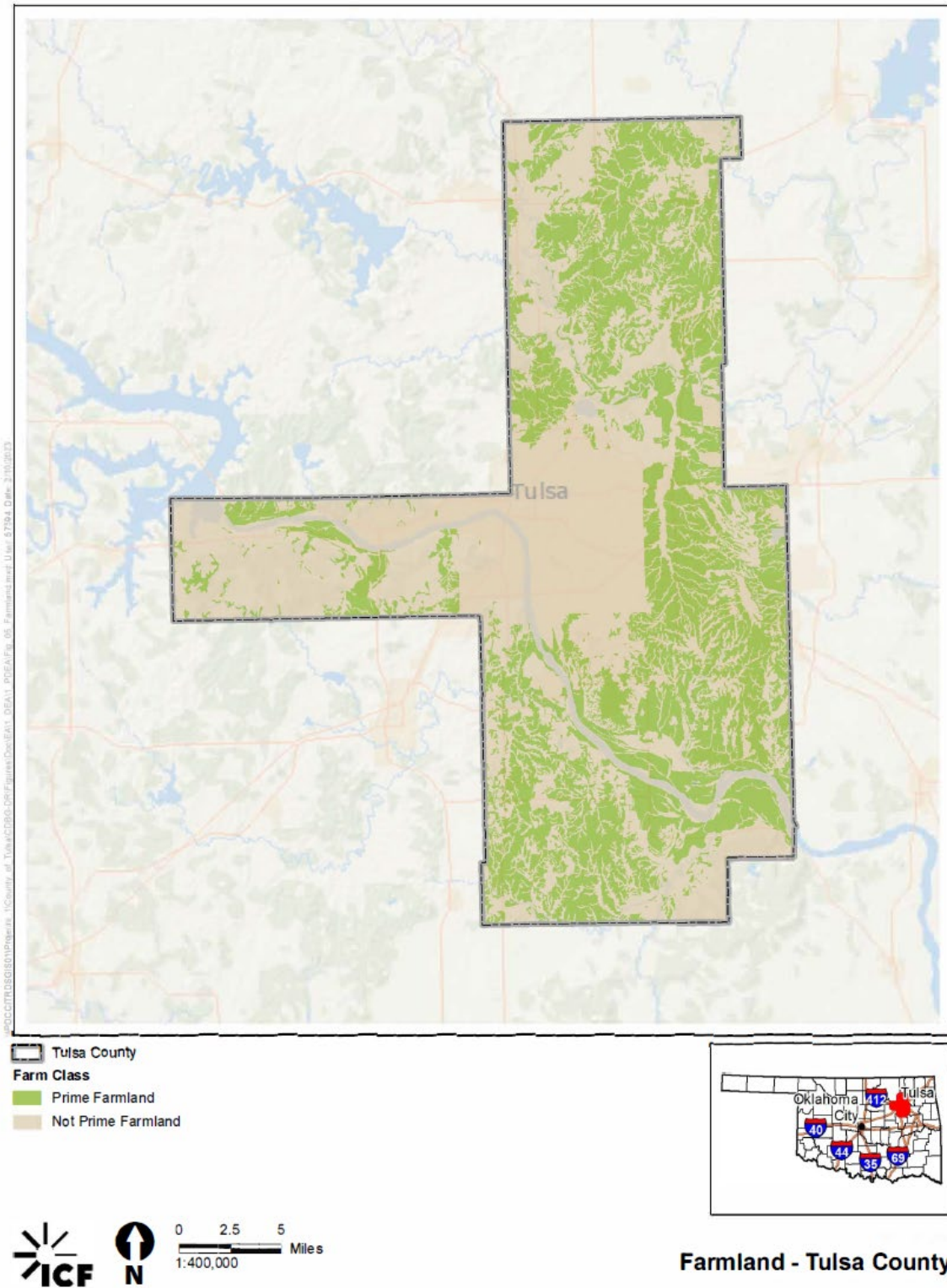
U.S. Department of Agriculture (USDA)

Supporting Documentation:

Figure A8-1: Farmland Protection Map - Tulsa County

ENVIRONMENTAL FINDING: Compliance will be achieved during the broad review since project activities will occur only on previously disturbed land.

Figure A8-1: Farmland Protection Map – Tulsa County



Attachment 9 – Floodplain Management

Executive Order 11988, particularly section 2(a); 24 CFR 55

Table A9-1: Flood Zone Acres – Tulsa County

Zone Designation	Acres in Tulsa County
A	5,558.8
AE	66,812.0
AO	810.6
Total	73,181.4

Table A9-2: Floodplain Management Sources:

Agency	Internet Link	Accessed Date	Dataset Date
Federal Emergency Management Agency	https://msc.fema.gov/portal/home	02/10/2023	6/4/2007

Agencies/Regulations Consulted During Broad Review:

Federal Emergency Management Agency (FEMA)

Supporting Documentation:

Figure A9-1 –FEMA Special Flood Hazard Area Zones Map - Tulsa County

Figure A9-2 – 8-Step Floodplain/Wetland Decision-Making Process

Figure A9-3 – Text of Early Floodplain Notification- English

Figure A9-4 – Text of Early Floodplain Notification- Spanish

Figure A9-5 – Affidavit and Clipping of Early Floodplain Notification – Tulsa World

Figure A9-6 – Affidavit and Clipping of Final Combined Notification – Tulsa World

ENVIRONMENTAL FINDING: Compliance will be achieved during the site-specific review since the VBP project parcels have the potential to be located within a FEMA or Tulsa County-designated Special Flood Hazard Area (SFHA). See Site-Specific Review Strategy and Checklist Appendix B.

Figure A9-1: FEMA Special Flood Hazard Area Zones Map - Tulsa County

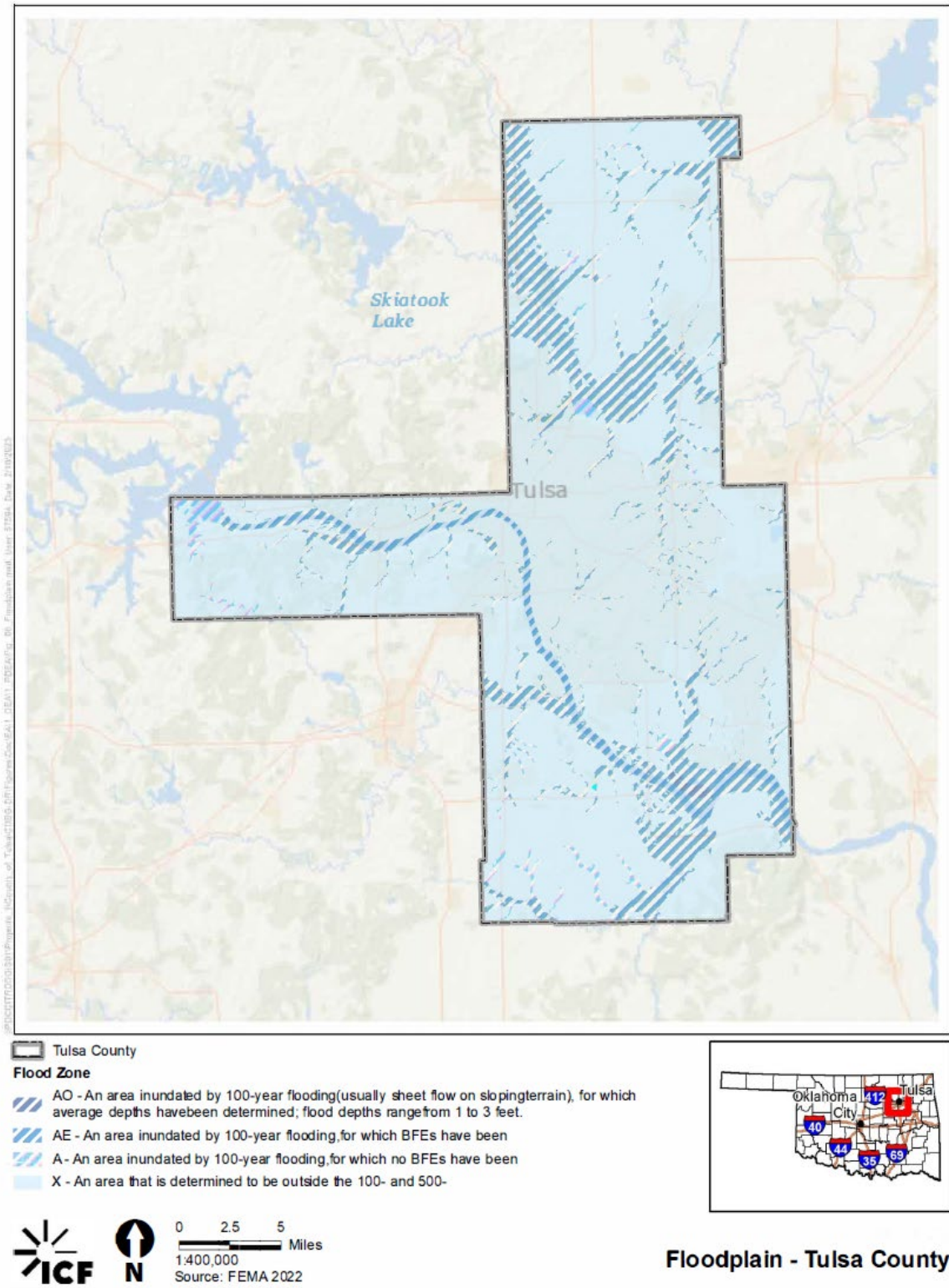


Figure A9-2 – 8-Step Floodplain Decision-Making Process

U.S. Department of Housing and Urban Development Community Development Block Grant Disaster Recovery (CDBG-DR)

Tulsa County, Voluntary Buyout Program (VBP)

8-STEP DECISION MAKING PROCESS

Tulsa County

Introduction

The Tulsa County Voluntary Buyout Program (VBP), consistent with the State of Oklahoma’s 2019 CDBG-DR Action Plan, was developed in response to severe storms, extreme rainfall and significant flash flooding that occurred in 2019 and aims to help eligible Oklahomans relocate from the established Voluntary Buyout Target Area (VBTA) and Disaster Risk Reduction Area (DRRA).

This document summarizes the 8-step floodplain and wetland decision making process completed for the VBP, as proposed by Tulsa County.

The VBP would prioritize acquisition, relocation of individuals, and demolition of selected sites in the 100-year floodplain (VBTA), followed by acquisition, relocation of individuals, and demolition of selected sites in the 500-year floodplain and adjacent areas (DRRA).

The VBP is intended to help eligible Oklahomans relocate from the VBTA and DRRA to a location deemed decent, safe and sanitary (DSS). The goal of this program is to voluntarily buyout such properties, demolish the damaged residential structures, and convert the properties to open space, green space, recreational grounds, or floodplain management areas. Properties purchased with CDBG-DR funds shall be deed-restricted to remain as green space, recreational space, or floodplain management areas in perpetuity. Residential or commercial development on properties acquired would be prohibited.

Step 1: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions) or wetland.

The 500-year floodplain is the minimal floodplain of concern for Critical Actions. The proposed activities associated with the VBP are not Critical Actions as defined in 24 CFR 55.2(b)(2), and therefore not subject to requirements that apply to structures located in the 500-year floodplain.

Tulsa County has determined that project activities associated with the VBP will be located in, or affect, the 100-year floodplain and/or wetlands. When required, the demolition area will be restored to preserve natural floodplain values.

Below is a table showing an estimate of acres of floodplains and wetlands in Tulsa County.

County	SFHA (acres)	Wetlands (acres)
Tulsa	73,181	9,267

Source: 2023 FEMA Flood Map Service Center: Welcome! Available at: <https://msc.fema.gov/portal/home>.

Tulsa County would determine on a site-specific basis as to whether a parcel is located within the 100-year floodplain or a wetland by using the best available mapping data from the Federal Emergency Management Agency and/or United States Fish and Wildlife Service National Wetlands Inventory.

Project activities located partially or wholly within the 100-year floodplain, or a wetland, would require mitigation and Best Management Practices (BMPs) to avoid or mitigate impacts. Properties located in the 500-year floodplain or outside of the floodplain would not require any mitigation.

Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.

A 15-day “Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland” was published on March 17th, 2023, in the Tulsa World in English and Spanish. The 15-day comment period expired on April 3rd, 2023. The notice targeted local residents and stakeholders, including those in the floodplain.

Tulsa County provided confirmation that no comments were received from the public regarding the proposed action.

Step 3: Identify and evaluate practicable alternatives.

The VBP will allow individuals the option to relocate by offering them a participation incentive, Fair Market Value (FMV) for their home, and homeowner/rental assistance, according to Oklahoma’s VBP guidelines. Residents within the eligible areas might not otherwise have the option of relocating, and thus would be subject to continued flooding events. No other alternatives were considered, as they would not serve to meet the dual purpose of helping the property owner relocate from the floodplain and to reduce the impact of future flooding disasters on the community.

Homes within the VBTA and DRAA in Tulsa County are subject to repeated flooding events that would be expected to continue in the absence of the project.

The only practicable alternative on a programmatic level would be the No Action Alternative, which would mean that applicants would not receive HUD assisted voluntary buyouts to safely relocate outside the VBTA or DRAA. As a result, property owners remaining in the floodplain would be vulnerable to future flooding conditions. Furthermore, homes in the VBTA and DRAA are not considered occupiable because of the present risk to life and property and are also not suitable for repair using Oklahoma’s 2019 CDBG-DR funds. Thus, the No Action Alternative would not address the need for DSS housing for residents, nor would it remove residential structures from repeated damage and potential loss of life and property within the floodplain.

Step 4: Identify Potential Direct and Indirect Impacts Associated with the Occupancy or Modification of the Floodplain and Wetlands

The proposed programs would involve acquisition and demolition of previously developed parcels that may be within or adjacent to the floodplain and/or wetlands. Thus, the proposed program would reduce housing stock within the VBTA and DRRA. Parcels would be cleared of debris and maintained after demolition in order to protect and preserve floodplain values. The acquired properties will have a permanent deed restriction placed on them to remain greenspace, floodplain management areas, parks or open spaces. Any impacts to wetlands would be mitigated through BMPs, described in Step 5.

Step 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain and wetlands.

The VBP, by its nature, would remove property from the floodplain. Tulsa County would be required to adhere to the following conditions to minimize impacts to floodplain and wetland values:

1. Foundations are to be filled in and parcels graded, stabilized according to State regulations.
2. Wetlands on or in the vicinity of the project site are to be protected from any unnecessary construction activities or disturbance.
3. Vegetation and exposed soil are to be reestablished as soon as possible after work has been completed.
4. Existing drain inlets are to be protected from debris, soil, and sedimentation.
5. No heavy equipment is to be operated within wetlands.

With these requirements in place, the VBP will help ensure a minor beneficial impact to the floodplain and/or wetlands.

Step 6: Reevaluate the Alternatives.

The analysis in Steps 4 and 5 provides no basis for modifying the preliminary conclusion reached in Step 3.

In the absence of the proposed programs, applicants would not receive financial assistance to relocate outside the VBTA or DRRA and may not be able to afford to do so on their own. As a result, program goals of removing residential structures from the floodplain would not be achieved. Properties that remain in the VBTA and DRRA would be vulnerable to repeated flooding conditions, resulting in potential loss of life and property. Thus, the No Action Alternative would not address the need for DSS housing for residents, nor would it remove residential structures from repeated damage or prevent potential loss of life and property within the floodplain.

Step 7: Determination of No Practicable Alternative

It is the determination of Tulsa County that there is no practicable alternative to locating the proposed programs in the floodplain or wetlands. This is due to 1) the need to provide safe and affordable housing; 2) the need to reduce housing stock from the VBTA and DRRA to protect against loss of life and property; and 3) the ability to minimize impacts on human health, public property and floodplain and wetland values by converting acquired property to beneficial green or open space, or floodplain management areas.

A final notice will be published on April 4th, 2023, in the Tulsa World. The 15-day comment period will expire on April 20th, 2023. The final notice is consistent with the early notice. The notice explains the reasons why the modified project must be located in the floodplain, offers a list of alternatives considered at Steps 3 and 6, and describes all mitigation measures at Step 5 taken to minimize adverse impacts and preserve natural and beneficial floodplain values. No concerns were expressed by the public concerning this notice.

Step 8: Implement the Proposed Action

Step 8 is implementation of the proposed VBP in Tulsa County. The County will ensure that the mitigating measures identified in the steps above are implemented.

Figure A9-3 – Early Floodplain Notification
Early Notice and Public Review of a Proposed
Activity in a 100-Year Floodplain and Wetland

Tulsa County

To: All interested Agencies, Groups, and Individuals

This publication is to give notice that Tulsa County, as the Responsible Entity under Part 58, has determined that project activities associated with the Residential Flood Recovery Program (RFRP), consistent with the State's 2019 CDBG-DR Voluntary Buyout Program (VBP), may be located in, or affect, the 100-year floodplain and wetlands, and Tulsa County will be determining the potential impacts on the floodplain and wetlands from VBP activities, as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The State of Oklahoma has received Community Development Block Grant Disaster Recovery (CDBG-DR) funding to support acquisition and removal of properties from the floodplain following periods of heavy flooding during 2019 in Tulsa County. The storms passed through Tulsa County during the period of May 7, 2019 through June 9, 2019, bringing severe storms, straight-line winds, tornadoes, and flooding. In response, the State of Oklahoma's Action Plan has allocated \$14,750,000 to the RFRP. The goal of this program is to voluntarily buyout affected properties and convert them to open space, green space, recreational grounds, or floodplain management areas. Properties purchased with CDBG-DR funds shall be deed-restricted to remain as green space, recreational space, or floodplain management areas in perpetuity.

The application process for RFRP was approved by the Tulsa County Board of County Commissioners and opened on March 13, 2023, and therefore exact project locations are not known at this time. However, given the nature of the activities, it is assumed that most, if not all project locations will occur within, or proximate to, floodplains and/or wetlands.

The mapped acreage for the 100-year floodplain Special Flood Hazard Areas (SFHA) Zones A, AE, and AO is 731,181 acres, and there are approximately 9,263 acres of wetlands in Tulsa County. Project activities located partially or wholly within the 100-year floodplain will be assessed for potential impacts. Since the activities are not considered critical actions, properties that are located in the 500-year floodplain will be exempt from this analysis.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and 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 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 wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by Tulsa County at the following address on or before April 3, 2023: Tulsa County, **218 W. 6th Street, Tulsa, Oklahoma** and **918-730-3911**, Attention: Joseph Kralicek, Emergency Manager. Additional project information, including floodplains and wetlands maps for Tulsa County, can be viewed from 9 AM to 5 PM at the above address and online at <https://www2.tulsacounty.org/community/tulsa-area-emergency-management-agency/flood-buy-out-program/> Comments may also be submitted via email at jkralicek@tulsacounty.org.

Date: MARCH 17, 2023

Figure A9-4 – Text of Early Floodplain Notification- Spanish

Notificación previa y revisión pública de una actividad propuesta

en una llanura inundable de 100 años o un humedal

Condado de Tulsa

Para: Todos los organismos, grupos e individuos interesados

Esta publicación tiene como fin notificar que el condado de Tulsa como Entidad Responsable según la Parte 58, ha determinado que las actividades del proyecto asociadas con el Programa de Recuperación de Inundaciones Residenciales (RFRP, por su sigla en inglés), consistente con el Programa de Compra Voluntaria (VBP, por su sigla en inglés) pueden estar ubicadas en, o afectar, la llanura inundable de 100 años y los humedales. El condado de Tulsa determinará los impactos potenciales en la llanura inundable y los humedales de las actividades del VBP, según lo exigen las Órdenes Ejecutivas 11988 y 11990, y de acuerdo con las regulaciones del HUD en 24 CFR 55.20 Subparte C, Procedimientos para formular determinaciones sobre la gestión de llanuras inundables y la protección de humedales.

El Estado de Oklahoma recibirá fondos del Programa de Subvenciones en Bloque de Desarrollo Comunitario para la Recuperación tras Desastres (CDBG-DR, por su sigla en inglés) para apoyar la adquisición y demolición de propiedades de la llanura aluvial del tormentas y inundaciones en 2019. Las tormentas pasaron por el condado de Tulsa durante el período del 7 de mayo de 2019 al 9 de junio de 2019, trayendo vientos azotadores, tornados y inundaciones. En respuesta, el Plan de Acción del Estado de Oklahoma ha asignado \$14,750,000 al VBP. , El objetivo de este programa es adquirir voluntariamente las propiedades afectadas y convertirlas en espacios abiertos, zonas verdes, terrenos recreativos o zonas de gestión de llanuras aluviales. Las propiedades adquiridas con fondos del CDBG-DR serán escrituradas para que permanezcan a perpetuidad como espacios verdes, espacios recreativos o zonas de gestión de llanuras aluviales.

Se proyecta que el proceso de solicitud para el VBP comience en la primavera de 2023 y, por lo tanto, en este momento se desconocen las ubicaciones exactas de las actividades del proyecto. Sin embargo, dada la existencia de llanuras inundables de 100 años y humedales en el condado afectado, se supone que algunas ubicaciones del proyecto podrían encontrarse dentro o cerca de llanuras inundables y humedales.

A continuación se enumeran los acres mapeados para las Áreas Especiales de Peligro de Inundación de 100 años (SFHA, por su sigla en inglés), es decir, las Zonas A, AE y AO, y también los humedales del condado.

Tulsa—SFHA: 73,181 acres; Humedales: 9,263 acres.

Esta notificación tiene tres objetivos principales. En primer lugar, las personas que pudiesen verse afectadas por actividades en llanuras inundables y humedales, y aquellas que tengan interés en la protección del entorno natural, deben tener la oportunidad de expresar sus inquietudes y aportar información sobre estas áreas. En segundo lugar, un programa de notificación pública adecuado puede ser una importante herramienta de educación pública. La difusión de información y la solicitud de comentarios del público sobre las llanuras inundables y los humedales pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados a la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de equidad, cuando el gobierno federal determina que participará en acciones que se lleven a cabo en llanuras inundables y humedales, debe informar a quienes pueden verse expuestos a un riesgo mayor o continuo.

Los comentarios por escrito deben ser recibidos por el condado de Tulsa en la siguiente dirección a más tardar el 3 de abril de 2023: 218 W. 6th Street, Tulsa, Oklahoma and 918-730-3911, Attention: Joseph Kralicek, Manejo de Emergencias del condado de Tulsa. Puede consultarse información adicional sobre el proyecto, incluyendo mapas del condado de Tulsa, de 9 a. m. a 5 p. m. en la dirección mencionada arriba. Se puede encontrar información adicional sobre el VBP en <https://www2.tulsacounty.org/community/tulsa-area-emergency-management-agency/flood-buy-out-program/> (en inglés) y en <https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019-2/> (en inglés y español)). Los comentarios también pueden enviarse por correo electrónico a jkralicek@tulsacounty.org.

Fecha: 17 de marzo de 2023

Figure A9-5 – Affidavit and Clipping of Early Floodplain Notification – Tulsa World

TULSA WORLD

P.O. Box 1770 · Tulsa, Oklahoma 74102-1770 | tulsa-world.com

Account Number

1057671

Date

March 17, 2023

MESHEK & ASSOCIATES, PLC
Attn: LACIE JONES
1437 S BOULDER AVE STE 1550
TULSA, OK 74119

Date	Category	Description	Ad Size	Total Cost
03/17/2023	Legal Notices	EARLY FLOODPLAIN WETLANDS NOTICE / ENGLISH	2 x 82.00 CL	124.96

799060
Published in the Tulsa World, Tulsa County, Oklahoma,
March 17, 2023

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

Tulsa County

To: All interested Agencies, Groups, and Individuals

This publication is to give notice that Tulsa County, as the Responsible Entity under Part 55, has determined that project activities associated with the Residential Flood Recovery Program (RFRP), consistent with the State's 2019 CDBG-DR Voluntary Buyout Program (VBP), may be located in, or affect, the 100-year floodplain and wetlands, and Tulsa County will be determining the potential impacts on the floodplain and wetlands from VBP activities, as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The State of Oklahoma has received Community Development Block Grant Disaster Recovery (CDBG-DR) funding to support acquisition and removal of properties from the floodplain following periods of heavy flooding during 2019 in Tulsa County. The storms passed through Tulsa County during the period of May 7, 2019 through June 9, 2019, bringing severe storms, straight-line winds, tornadoes, and flooding. In response, the State of Oklahoma's Action Plan has allocated \$14,750,000 to the RFRP. The goal of this program is to voluntarily buyout affected properties and convert them to open space, green space, recreational grounds, or floodplain management areas. Properties purchased with CDBG-DR funds shall be deed-restricted to remain as green space, recreational space, or floodplain management areas in perpetuity.

The application process for RFRP was approved by the Tulsa County Board of County Commissioners and opened on March 13, 2023, and therefore exact project locations are not known at this time. However, given the nature of the activities, it is assumed that most, if not all, project locations will occur within, or proximate to, floodplains and wetlands.

The mapped acreage for the 100-year floodplain, Special Flood Hazard Areas (SFHA) Zones A, AE, and AO is 731,181 acres, and there are approximately 9,263 acres of wetlands in Tulsa County. Project activities located partially or wholly within the 100-year floodplain will be assessed for potential impacts. Since the activities are not considered critical actions, properties that are located in the 50-year floodplain will be exempt from this analysis.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and 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 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 wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by Tulsa County of the following address on or before April 3, 2023: Tulsa County, 218 W. 6th Street, Tulsa, Oklahoma and 918-730-3911, Attention: Joseph Kralicek, Emergency Manager. Additional project information, including floodplains and wetlands maps for Tulsa County, can be viewed from 9 AM to 5 PM at the above address and online at <https://www2.tulsa-county.org/communit/y/tulsa-area-emergency-management-agency/flood-buy-out-program/>. Comments may also be submitted via email of jkralicek@tulsa-county.org.

Date: MARCH 15, 2023

Affidavit of Publication

I, Brenda Brumbaugh, of lawful age, am a legal representative of the Tulsa World of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa County, Oklahoma, a legal newspaper qualified to publish legal notices, as defined in 25 O.S. § 106 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the DATE(S) LISTED BELOW

03/17/2023

Newspaper reference: 0000799060

B Brumbaugh
Legal Representative

Sworn to and subscribed before me this date:

3/20/23

A Shell
Notary Public

AMBER SHELL
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES SEP. 11, 2023
COMMISSION # 19009197

My Commission expires

TULSA WORLD

P.O. Box 1770 Tulsa, Oklahoma 74102-1770 | tulsaworld.com

Account Number

1057671

Date

March 17, 2023

MESHEK & ASSOCIATES, PLC
Attn: LACIE JONES
1437 S BOULDER AVE STE 1550
TULSA, OK 74119

Date	Category	Description	Ad Size	Total Cost
03/17/2023	Legal Notices	EARLY FLOODPLAIN WETLANDS NOTICE / SPANISH	2 x 93.00 CL	139.04

Affidavit of Publication

I, Brenda Brumbaugh, of lawful age, am a legal representative of the Tulsa World of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa County, Oklahoma, a legal newspaper qualified to publish legal notices, as defined in 25 O.S. § 106 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the DATE(S) LISTED BELOW

03/17/2023

Newspaper reference: 0000799061


Legal Representative

Sworn to and subscribed before me this date: 3/20/23


Notary Public

AMBER SHELL
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES SEP. 11, 2023
COMMISSION # 19009197

My Commission expires _____

799061
Published in the Tulsa World, Tulsa County, Oklahoma,
March 17, 2023

Notificación previa y revisión pública de una actividad
propuesta en una llanura inundable de 100 años o un humedal
condado de Tulsa

Para: Todos los organismos, grupos e individuos interesados

Este publicación tiene como fin notificar que el condado de Tulsa como Entidad Responsable según lo Parte 5b, ha determinado que las actividades del proyecto asociadas con el Programa de Recuperación de Inundaciones Residenciales (RFRP, por su sigla en inglés), consistente con el Programa de Compra Voluntaria (VBP, por su sigla en inglés) pueden estar ubicados en, o afectar, la llanura inundable de 100 años y los humedales. El condado de Tulsa determinará los impactos potenciales en la llanura inundable y los humedales de las actividades del VBP, según lo exigen los Ordenes Ejecutivos 11988 y 11990, y de acuerdo con las regulaciones del HUD en 24 CFR 55.20 Subparte C, Procedimientos para formular determinaciones sobre la gestión de llanuras inundables y la protección de humedales.

El Estado de Oklahoma recibirá fondos del Programa de Subvenciones en Bloque de Desarrollo Comunitario para la Recuperación tras Desastres (CDBG-DR, por su sigla en inglés) para apoyar la adquisición y demolición de propiedades de la llanura aluvial del terremoto y inundaciones en 2019. Las terminales pasaron por el condado de Tulsa durante el periodo del 7 de mayo de 2019 al 9 de junio de 2019, trayendo vientos azotadores, tornados e inundaciones. En respuesta, el Plan de Acción del Estado de Oklahoma ha asignado \$14,750,000 al VBP. El objetivo de este programa es adquirir voluntariamente las propiedades afectadas y convertirlos en espacios abiertos, zonas verdes, terrenos recreativos o zonas de gestión de llanuras aluviales. Las propiedades adquiridas con fondos del CDBG-DR serán escrituradas para que permanezcan a perpetuidad como espacios verdes, espacios recreativos o zonas de gestión de llanuras aluviales.

Se proyecta que el proceso de solicitud para el VBP comience en la primavera de 2023 y, por lo tanto, en este momento se desconocen las ubicaciones exactas de las actividades del proyecto. Sin embargo, dado la existencia de llanuras inundables de 100 años y humedales en el condado afectado, se supone que algunas ubicaciones del proyecto podrían encontrarse dentro o cerca de llanuras inundables y humedales.

A continuación se enumeran los acres mapeados para los Áreas Especiales de Peligro de Inundación de 100 años (SFHA, por su sigla en inglés), es decir, las Zonas A, AE y AO, y también los humedales del condado.

Tulsa—SFHA: 73,181 acres; Humedales: 9,263 acres.

Esta notificación tiene tres objetivos principales. En primer lugar, las personas que pudiesen verse afectadas por actividades en llanuras inundables y humedales, y aquellas que tengan interés en la protección del entorno natural, deben tener la oportunidad de expresar sus inquietudes y aportar información sobre estos áreas. En segundo lugar, un programa de notificación pública adecuado puede ser una importante herramienta de educación pública. La difusión de información y la solicitud de comentarios del público sobre los llanuras inundables y los humedales pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados a la ocupación y modificación de estos áreas especiales. En tercer lugar, como cuestión de equidad, cuando el gobierno federal determina que participará en acciones que se lleven a cabo en llanuras inundables y humedales, debe informar a quienes pueden verse expuestos a un riesgo mayor o continuo.

Los comentarios por escrito deben ser recibidos por el condado de Tulsa en la siguiente dirección a más tardar el 3 de abril de 2023: 218 W. 6th Street, Tulsa, Oklahoma and 918-730-3911, Atención: Joseph Krallcek, Manaja de Emergencias del condado de Tulsa. Puede consultarse información adicional sobre el proyecto, incluyendo mapas del condado de Tulsa, de 9 a. m. a 5 p. m. en la dirección mencionada arriba. Se puede encontrar información adicional sobre el VBP en tulsaworld.com o en <http://www2.tulsa-county.org/community/tulsa-area-emergency-management/flood-buy-out-program/> (en inglés) y en <https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery-2019-2/> (en inglés y español). Los comentarios también pueden enviarse por correo electrónico a jkrallcek@tulsa-county.org.

Fecha: 15 Marzo 2023

Attachment 10 – Historic Preservation

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR 800

Table A10-1: Historic Resources – Tulsa County

Category	Number in Tulsa County
National Register of Historic Places	Listed: 86 (comprised of 61 buildings, 2 structures, 2 sites, and 21 districts)
Oklahoma Register of Historic Places	Listed: 161 (comprised of 5 main street communities, 35 NRHP districts, 77 NRHP sites, 21 DOE districts, 8 DOE sites and 15 bridges)

Note: some properties may be tallied more than once, because they are included in more than one category, or because an action was taken to re-evaluate the property (e.g., boundary increase).

Table A10-2: Historic Preservation Sources

Agency	Internet link	Access Date	Dataset Date
National Park Service	https://www.nps.gov/subjects/nationalregister/database-research.htm	02/14/2023	6/28/2022
Oklahoma SHPO	Oklahoma Interactive SHPO Map (Last Updated February 2023) (arcgis.com)	02/10/2023	N/A

Agencies/Regulations Consulted During Broad Review

U.S. Department of Housing and Urban Development (HUD)

U.S. National Park Service (NPS)

Oklahoma SHPO

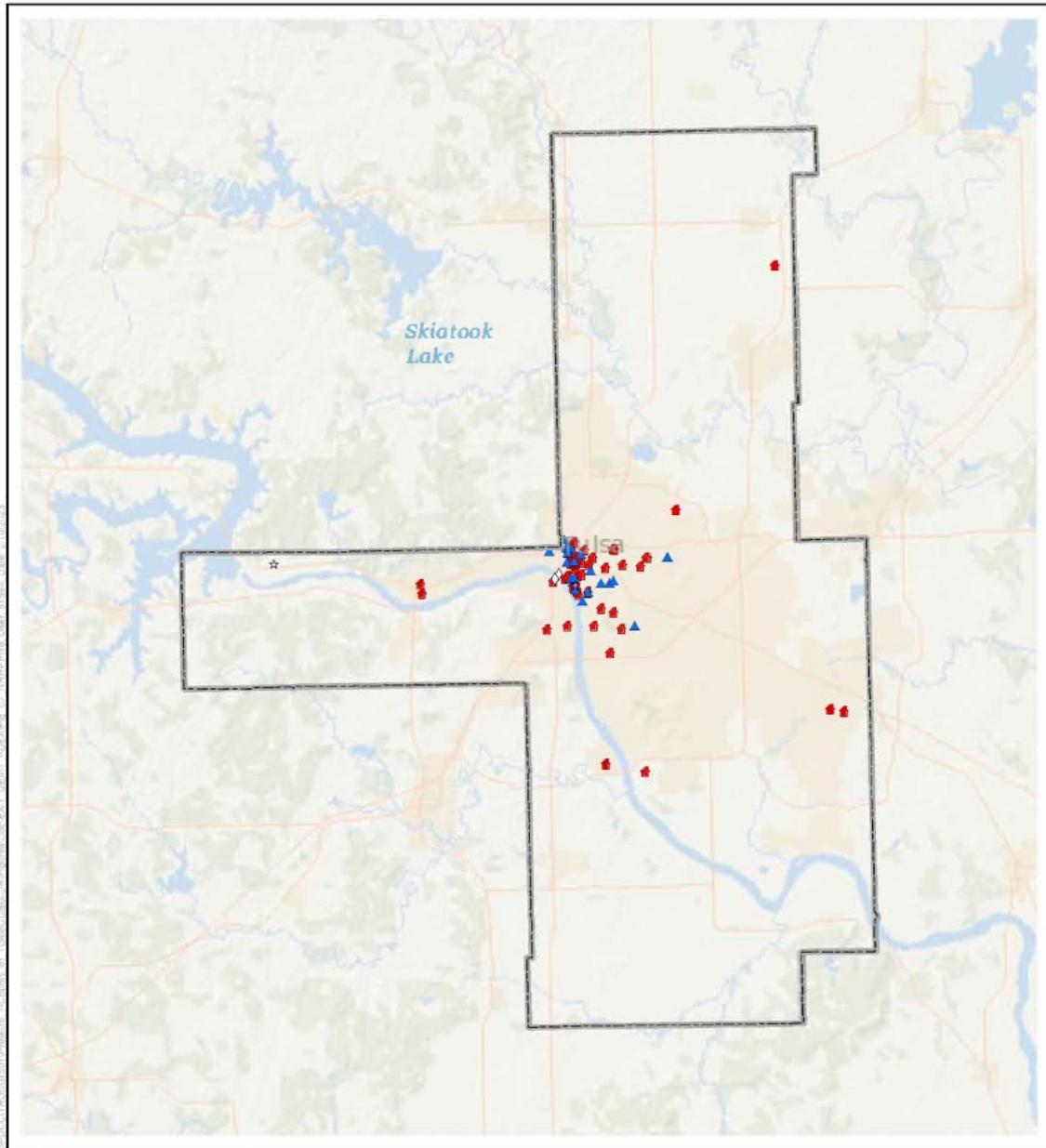
Supporting Documentation:

Figure A10-1 – Historic Preservation Map – Tulsa County

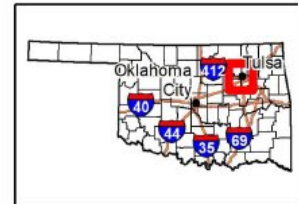
ENVIRONMENTAL FINDINGS: Compliance will be achieved during the site-specific review since the proposed action has the potential to adversely affect historic properties.

See Site-Specific Review Strategy and Checklist Appendix B.

Figure A10-1: Historic Preservation Map – Tulsa County



-  Tulsa County
-  Historic Building
-  Historic Structure
-  Historic Site
-  Historic District



  0 2.5 5 Miles
1:400,000
Source: NPS 2022

Historic Preservation - Tulsa County

Attachment 11 – Noise Abatement and Control

Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR 51(b)

Dataset(s) used in evaluation:

Noise evaluations require the use of road maps, railway crossing data and FAA information.

Agencies/Regulations Consulted During Broad Review:

U.S. Housing and Urban Development (HUD) Regulations

Supporting Documentation:

None required.

ENVIRONMENTAL FINDING: Compliance achieved during the broad review. Project activities do not include construction or rehabilitation that will increase residential density. Therefore, further evaluation of this section is not required.

Attachment 12 – Sole Source Aquifers

Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149

Table A12-1: Sole Source Aquifers – Tulsa County

Sole Source Aquifers in Tulsa County	N/A
--------------------------------------	-----

Table A12-2: Sole Source Aquifers Sources

Agency	Internet link	Accessed Date	Dataset Date
U.S. Environmental Protection Agency	https://www.epa.gov/dwssa/map-sole-source-aquifer-locations	02/20/2023	05/25/2022

Agencies/Regulations Consulted During Broad Review

U.S. Department of Housing and Urban Development (HUD)

U.S. Environmental Protection Agency (EPA)

Supporting Documentation

Not required.

ENVIRONMENTAL FINDINGS: Compliance achieved during the broad review since there are no Sole Source Aquifers in Tulsa County. Therefore, further evaluation of this section is not required.

Attachment 13 – Wetlands Protection

Table A13-1: Wetlands– Tulsa County

Wetland Type	Acres in Tulsa County
Estuarine and Marine Wetland	0
Freshwater Emergent Wetland	1,093.4
Freshwater Forested/Shrub Wetland	8,169.3
Total	9,262.6

Table A13-2: Wetlands Sources

Agency	Internet Link	Accessed Date	Dataset Date
National Wetland Inventory – U.S. Fish and Wildlife Service	https://www.fws.gov/program/national-wetlands-inventory/data-download	02/08/2023	10/11/2022

Agencies/Regulations Consulted During Broad Review

U.S. Fish and Wildlife Service (USFWS)

Supporting Documentation

Figure A13-1 –Wetlands Map - Tulsa County

Figure A9-2 – 8-Step Floodplain/Wetland Decision-Making Process

Figure A9-3 – Text of Early Floodplain Notification- English

Figure A9-4 – Text of Early Floodplain Notification- Spanish

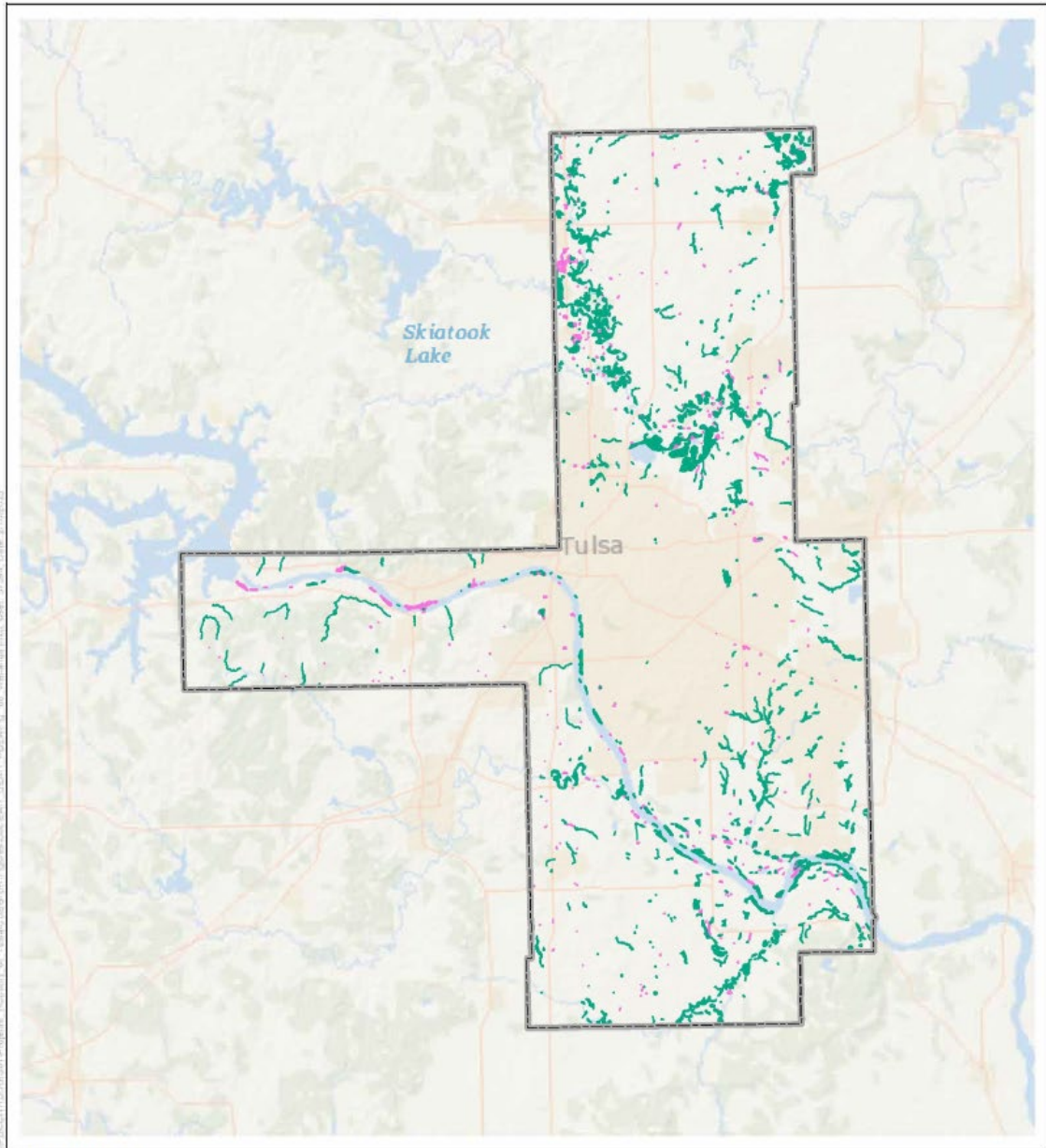
Figure A9-5 – Affidavit and Clipping of Early Floodplain Notification – Tulsa World

Figure A9-6 – Affidavit and Clipping of Final Combined Notification – Tulsa World




ENVIRONMENTAL FINDINGS: Compliance will be achieved during the site-specific review since the VBP has the potential to negatively impact wetlands through demolition activities outside of the footprint of the original structure. Work may occur within or adjacent to a wetland.

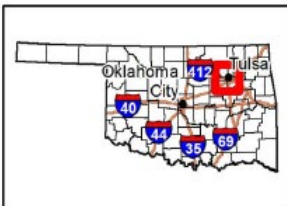
See Site-Specific Review Strategy and Checklist Appendix B.

Figure A13-1: Wetlands Map - Tulsa County



©2012 ICF International, Inc. All rights reserved. This document is the property of ICF International, Inc. and is not to be distributed, copied, or reproduced in any form without the written permission of ICF International, Inc. 10/12/12

-  Tulsa County
- Wetlands**
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland



  0 2.5 5 Miles
1:400,000

Wetlands - Tulsa County

Attachment 14 – Wild and Scenic Rivers

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)

Table A14-1: Wild and Scenic Rivers– Tulsa County

Wild & Scenic Rivers	N/A
----------------------	-----

Table A14-2: Wild and Scenic Rivers Sources

Agency	Internet link	Accessed Date	Dataset Date
U.S. National Park Service	https://nps.maps.arcgis.com/home/webmap/viewer.html?webmap=8ecd2c2e783c4dfa9636e1805df0e441	02/20/2023	11/6/2020

Agencies/Regulations Consulted During Broad Review

U.S. Fish and Wildlife Service (USFWS)

Supporting Documentation

Not required.

ENVIRONMENTAL FINDING: Compliance will be achieved at the broad level. There are no Wild & Scenic Rivers present in Tulsa County. Therefore, further evaluation of this section is not required.

Attachment 15 – Environmental Justice

Executive Order 12898

Table A15-1: Minority Population– Tulsa County

County	Total Population	Total Hispanic Population	Total Hispanic Population %	Total People of Color	Total People of Color %
Tulsa	650,291	85,014	13.1%	252,714	38.9%

Table A15-2: Minority Population– Tulsa County

County	Total Population	Households	Low Income %
Tulsa	640,621	216,535	33.8%

Table A15-3: Environmental Justice Sources

Agency	Link	Accessed Date	Dataset Date
U.S. Census Bureau	https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-data.html	02/16/2023	n/a
U.S. Department of Housing and Urban Development	https://www.hudexchange.info/programs/environmental-review/environmental-justice/	02/20/2023	n/a

Agencies/Regulations Consulted During Broad Review

U.S Census Bureau (EPA)

U.S. Department of Housing and Urban Development

Environmental Finding: Compliance has been achieved in the Tier 1 Broad Review since the program will prioritize Low-to-Moderate income individuals within the DRRA. Further evaluation of this resource is not required at the site-specific level.

Attachment 16 – Essential Fish Habitat

Magnuson-Stevens Fishery Conservation and Management Act of 1976 [16 UCS 1801 et seq.]

Table A16-1: Essential Fish Habitat Sources

Agency	Link	Accessed Date	Dataset Date
National Oceanic and Atmospheric Administration	https://www.habitat.noaa.gov/application/efhinventory/index.html	02/20/2023	3/10/2021

Agencies/Regulations Consulted During Broad Review

National Oceanic and Atmospheric Administration (NOAA)

Supporting Documentation

Not required.

Environmental Finding: Compliance has been achieved in the Tier 1 Broad Review. There is no Essential Fish Habitat in the State of Oklahoma. Further evaluation of this resource is not required at the site-specific level.

APPENDIX B

ENVIRONMENTAL SITE-SPECIFIC REVIEW CHECKLIST

Site-Specific Review Checklist

Tulsa County Voluntary Buyout Program

(Version 1.0, April 2023)

For use following the Tulsa County Tier 1 Environmental Assessment

Note: Throughout this annotated form, explanatory language is in blue font.

Agency Name / Grant #	Tulsa County	B-19-DF-40-0001
CDBG-DR Program	Voluntary Buyout Program	
Applicant Name / ID #	(First, Last)	
Project Address and Zip		
Lat/Long		
Final Notice Publication		
RROF / AUGF Dates		
Date Submitted to Tulsa		
Age of Structure		
Project Description	<p>Introduction for all activities:</p> <p>A Tier 1 Environmental Assessment was completed for Tulsa County's Voluntary Buyout Program. This is the site-specific review for activities eligible under this program. Include at least the following paragraph. Revise as appropriate to provide sufficient scope details.</p> <ul style="list-style-type: none"> • Acquisition and demolition <p>The proposed activity is acquisition/demolition for the (insert number ex: single) – unit (residential/manufactured home/vacant land) structure at the address listed above. The property contains (insert number) auxiliary structures (shed, detached garage, workshop, storage building, gazebo). The structure(s) was/were damaged as a result of the 2019 storms. Demolition includes razing of the structure, filling in foundations if needed and disconnecting all utilities. All activities would be limited to the disturbed area of the previously developed lot, which will be converted to greenspace after demolition is complete. A map showing the location of the proposed activity is attached, along with photographs from the site visit.</p>	
Project Actions	<p>Select all actions that will be performed during project implementation:</p> <p><input type="checkbox"/> Acquisition of real property</p> <p><input type="checkbox"/> Demolition / removal of storm-damaged structures</p> <p><input type="checkbox"/> Conversion of land to beneficial green space, open space, recreational or floodplain management area</p>	

Site Specific Checklist	
Compliance Achieved in Broad Review	
Compliance has already been achieved for the following resource categories: Airport Hazards, Coastal Barrier Resources, Flood Insurance, Clean Air, Coastal Zone Management, Explosive and Flammable Hazards, Farmlands Protection, Noise Abatement and Control, Sole Source Aquifers, Wild & Scenic Rivers and Environmental Justice. The remaining sections listed below will require compliance at a site-specific review.	
1. Historic Preservation (36 CFR 800)	
A. Projects Not Requiring Review	
<p>Above Ground Resources</p> <p><input type="checkbox"/> An SOI qualified architectural historian determined that SHPO consultation is not required.</p> <p>Reason for not requiring SHPO consultation:</p> <p style="text-align: center;">Name of SOI qualified professional: {Name}</p> <p style="text-align: center;">(Above Ground Review concluded)</p>	<p>Archaeological Resources</p> <p><input type="checkbox"/> An SOI qualified archaeologist determined that SHPO/OAS consultation is not required.</p> <p>Reason for not requiring SHPO/OAS consultation:</p> <p style="text-align: center;">Name of SOI qualified professional: {Name}</p> <p style="text-align: center;">(Archaeology Review concluded)</p>
<p><i>If both Above Ground Resources and Archaeological Resources are checked, the historic preservation review is complete and has a Section 106 finding of No Historic Properties Affected. If neither or only one review topic is completed above the remaining topic(s) must be assessed by completing the following section.</i></p>	
B. Standard Project Review: SHPO/Tribal Consultation Performed	
<p><input type="checkbox"/> No above ground Section 106-defined historic properties or NRHP-listed, NRHP-eligible or local historic districts are in the Area of Potential Effects.</p> <p>No Historic Properties Affected Determination. SHPO concurrence on file. (Above Ground Review Concluded)</p> <p><input type="checkbox"/> Individual historic properties or historic districts are located within the Area of Potential Effect.</p> <p style="margin-left: 20px;"><input type="checkbox"/> No Adverse Effect Determination (SHPO concurrence on file)</p> <p style="margin-left: 20px;">Are project conditions required?</p> <p style="margin-left: 20px;"><input type="checkbox"/> No (Above Ground Review Concluded)</p>	<p><input type="checkbox"/> Consultation conducted with SHPO (and Native American Tribes, where required) for archaeological resources.</p> <p style="margin-left: 20px;"><input type="checkbox"/> No Historic Properties Affected Determination (SHPO/OAS/THPO concurrence or consultation on file). (Archaeological Review Concluded)</p> <p style="margin-left: 20px;"><input type="checkbox"/> No Adverse Effect Determination (SHPO/OAS/THPO concurrence on file)</p> <p style="margin-left: 40px;">Are project conditions required?</p> <p style="margin-left: 40px;"><input type="checkbox"/> No (Archaeological Review Concluded)</p> <p style="margin-left: 40px;"><input type="checkbox"/> Yes. Attach conditions. (Archaeological Review</p>

<input type="checkbox"/> Yes. Attach conditions. (Above Ground Review Concluded) <input type="checkbox"/> Adverse Effect Determination (SHPO concurrence on file) <input type="checkbox"/> Mitigation not possible. (APPLICATION CANNOT PROCEED) <input type="checkbox"/> Adverse Effect Resolved <input type="checkbox"/> Are project conditions required? <input type="checkbox"/> No (Above Ground Review Concluded) <input type="checkbox"/> Yes. Attach conditions. (Above Ground Review Concluded) <input type="checkbox"/> OTHER (state finding).	Concluded) <input type="checkbox"/> Adverse Effect Determination (SHPO/THPO concurrence on file) <input type="checkbox"/> Mitigation not possible. (APPLICATION CANNOT PROCEED) <input type="checkbox"/> Adverse Effect Resolved Are project conditions required? <input type="checkbox"/> No (Archaeological Review Concluded) <input type="checkbox"/> Yes. Attach conditions. (Archaeological Review Concluded) <input type="checkbox"/> OTHER (state finding).
<p>Comments: [Indicate if SHPO consultation was required, determination of SHPO consultation and any SHPO required mitigation measures]</p>	
<p>2. Floodplain Management and Flood Insurance (EO 11988, 24 CFR 55, and 24 CFR 58.6)</p>	
<p>NOTE: use both Effective and Preliminary FIRMs when available</p> <input type="checkbox"/> The property involved is vacant land, with no structure present. Attach project location map. (Analysis complete). <input type="checkbox"/> There is no SFHA, or regulatory floodway mapped by FEMA on the property. Attach FIRM map. (Analysis complete). <input type="checkbox"/> There is a SFHA, or regulatory floodway mapped by FEMA on the property. The structure is within: <input type="checkbox"/> The 500-year floodplain (Disaster Risk Reduction Area). The project activities are not considered critical actions and therefore are exempt from analysis under this section. (Analysis complete). <input type="checkbox"/> The 100-year floodplain (Voluntary Buyout Target Area) Attach appropriate floodplain map(s) showing site location and extent of demolition activities. Demolition and restoration must comply with EO 11988. <input type="checkbox"/> The parcel is partially within a floodway. Attach appropriate floodplain map(s) showing site location and extent of construction activities. Demolition and restoration must comply with EO 11988. <p>An activity is not adequately covered by the programmatic 8-step process if it would not comply with a requirement listed in the 8-step document or it would involve special circumstances not addressed in the 8-step document. The fundamental requirements are demolition of the structure and restoration of the vacant lot in order to restore the natural resources and functions of floodplains.</p> <p>Comments: [Indicate if the project is in compliance, if the project is located within a special flood hazard area (if so, indicate which zone).</p>	

<p>3. Wetlands Protection (EO 11990 and Clean Water Act, especially Section 404)</p> <p>Are there wetlands or aquatic features present at or adjacent to any proposed application work area?</p> <p><input type="checkbox"/> No. There are no wetlands on or within 300 feet of the subject property. Attach appropriate documentation. (Analysis complete)</p> <p><input type="checkbox"/> Yes. Will the proposed activity negatively affect the wetland?</p> <p>Work in wetlands, including operation of equipment in wetlands, would affect the wetlands. Best management practices should prevent impact to adjacent wetlands.</p> <p><input type="checkbox"/> No. Outside wetlands or mitigation actions will be enacted to avoid wetland impacts. Attach document and/or site-specific condition outlining why wetland will not be affected. (Analysis complete)</p> <p>In most cases, the explanation will be a lack of nearby wetlands, implementation of best management practices, or a combination. A site inspection by a trained wetland professional may be necessary for this determination.</p> <p><input type="checkbox"/> Yes. Possible adverse effect associated with proposed activity taking place in wetlands.</p> <p><input type="checkbox"/> Additional Analysis required for site-specific review? (Adverse effects are anticipated from the proposed action, an 8-step should be conducted at a site-specific review level)</p> <p><input type="checkbox"/> Yes. The 5-step decision-making process was completed. Activity complies with EO 11990 and the Clean Water Act. (Analysis complete).</p> <p><input type="checkbox"/> Yes. The 8-step decision-making process was completed. Activity complies with EO 11990 and the Clean Water Act. (Analysis complete).</p> <p><input type="checkbox"/> No. The 8-step decision-making process was not completed or resulted in a determination of adverse effects. APPLICATION CANNOT PROCEED. Attach documentation. (Analysis complete)</p> <p>If the wetlands would be filled, paved, or built upon, the effect would be permanent. Effects of operating equipment on wetlands should be temporary. A site inspection by a trained wetland professional is required to confirm wetlands will be adversely affected. Temporary impacts to wetlands require the 8-step process to be completed. The activity is not in compliance unless the 8-step process is completed for the activity.</p> <p><input type="checkbox"/> OTHER (state finding).</p> <p>Comments: [Indicate if the project is in compliance, if there are any wetlands on or adjacent to the property, if wetlands are present, describe the wetlands, where they are located, indicate the distance from the project structure, if there will be any impact to the wetlands, best management practices to avoid impacts to the wetlands and if any waivers or permits are required.]</p>
<p>5. Endangered Species (16 USC 1531 et seq., 50 CFR Part 402)</p> <p><input type="checkbox"/> Application site work will be limited to the previously developed/disturbed lot boundaries.</p> <p><input type="checkbox"/> The site is located 300 feet or more outside of a National Wetland Inventory (NWI) mapped wetland, wildlife refuge, fish hatchery, wildlife management area, or related significant fish and wildlife resource?</p> <p><input type="checkbox"/> Yes to both of the above. No Effect determination. No significant hazard to species of concern or their habitats exists. (Analysis complete)</p>

- No. Work will involve an expanded/different ground disturbance footprint outside of developed parcel boundaries OR subject property is located less than 300 feet from one of the sensitive resource areas identified above. Further evaluation is required. Initiate IPaC review including the American Burying Beetle (ABB) determination key. Does the area contain any potential ABB habitat?
 - No. Attach determination documentation and IPaC report. (Analysis complete).
Yes. Initiate Section 7 consultation with the USFWS Tulsa Field Office.
 - Yes. Potential habitat present but **No Effect** determination was made. No significant hazard to species of concern exists. Attach consultation. (Analysis complete)
 - Yes, and **Not Likely to Adversely Affect** determination was made.
 - Project USFWS consultation was performed, and/or mitigation actions were designed that allow for a **No Effect** final determination. Attach documentation and state conditions required. (Analysis complete)
 - Consultation under Section 7 of the Endangered Species Act was required. Attach documentation and state conditions required when complete. (Analysis complete)
 - Yes, and **Likely to Adversely Affect** determination was made.
 - Project was moved to different approved location, USFWS consultation was performed, and/or mitigation actions were designed that allow for a **No Effect** final determination. Attach documentation and state conditions required. (Analysis complete)
 - Consultation under Section 7 of the Endangered Species Act was needed and completed. Attach documentation and state conditions required. (Analysis complete)
 - Adverse Effect factors could not be cleared. **APPLICATION CANNOT PROCEED.** (Analysis complete)
- OTHER (state finding).

Comments: (Indicate if the project is in compliance, determination reached and how determination was reached, if any threatened and/or endangered species are present (identified through the IPaC, any best management practices and site-specific conditions.)

7. Contamination and Toxic Substances

(24 CFR Part 58.5(i)(2))

Please complete all three subsections below.

- Are hazardous facilities of concern located within the specified review distance? (See hazardous facilities policies and procedures document for facilities list, review radii, compliance criteria and database search information)
 - No. Provide map. (Subsection Analysis Complete)
 - Yes. Were additional site assessments necessary?
 - No. Attach tables or other documentation that summarize each hazard within the review distance plus an internal report or agency communication that justifies the hazards from the facility do not pose a threat to the property and that no further action is required. (Subsection Analysis Complete)
 - Yes. Study performed and assessment results show that the action site is not affected by hazardous, contaminated or toxic materials from the facility. Attach compliance information. (Subsection Analysis Complete)
 - Yes. Study performed and assessment results show that the action site is affected by hazardous, contaminated or toxic materials from the facility, but appropriate mitigation actions will nullify the condition. Attach report with mitigation requirements.

(Subsection Analysis Complete)

- Yes. Study performed and assessment results show that the action site is affected by hazardous, contaminated or toxic materials from the facility and no mitigation actions can nullify the condition. **APPLICATION CANNOT PROCEED.** (Subsection Analysis Complete)

- Are potential hazards (excluding lead-based paint, asbestos, mold and non-toxic debris – see next subsection) located on the application property? **Potential Hazards would include observed recognized environmental conditions (RECs).** **REC explanation: Site conditions indicate that the subject property is contaminated or likely contaminated via the release of on-site or off-site hazardous substances or petroleum products.**

During the site reconnaissance, the subject property and adjoining properties are visually inspected for RECs, such as:

- UST vent or fill pipes
- Corroded ASTs, drums or containers
- Pits, ponds, lagoons, pools of hazardous substances or petroleum products
- Mounds of rubble, garbage, or solid waste
- Distressed vegetation
- Surface staining
- Faulty septic systems
- Ground water monitoring or injection wells
- Proximity to sensitive receptors (wetlands, floodplains, critical habitats, etc.)
- Structure(s): present and former uses

Note any obstacles to identification of RECs.

- No. (Subsection Analysis Complete)
- Yes. Were additional site assessments necessary?
- No. Attach report or agency communication that justifies no further action is required or provide explanation in comments below. (Subsection Analysis Complete)
 - Yes. Study results show that application action site is not affected by hazardous, contaminated or toxic materials. Attach report. (Subsection Analysis Complete)
 - Yes. Study results show that application action site is affected by hazardous, contaminated or toxic materials but appropriate mitigation actions will nullify the condition. Attach report with mitigation requirements. (Subsection Analysis Complete)
 - Yes. Assessment results show that application action site is affected by hazardous, contaminated or toxic materials and no mitigation actions can nullify the condition. **APPLICATION CANNOT PROCEED.** (Subsection Analysis Complete)

- Are lead-based paint, asbestos, mold or non-toxic debris hazards potentially located on the application property? (If inspection report(s) not available, assume yes for LBP on residences built before 1978 and yes for asbestos on **any** residence built before 1982).

- No. (Subsection Analysis Complete)
- Yes. Specify all that apply: Asbestos Lead-Based Paint Mold Debris
- Are hazard controls or additional site assessments required?
- No. Attach site inspection report or agency communication that justifies no further action is required. (Subsection Analysis Complete)
 - Yes. Application must follow appropriate hazard protocols during work on the application site. Add Site-Specific Condition below. (Subsection Analysis Complete)

OTHER CONDITIONS NOT LISTED (state finding):

Comments: [Indicate if the project is in compliance, if there were hazardous facilities within review radii (if so, add reference to hazardous facility compliance table attachment. Indicate if there were any facilities that pose a threat to the project property). Note the date of construction for the property and if lead-based paint (LBP), asbestos or mold observed or if testing or disposal is required. Indicate any hazards present on the property, state any potential recognized environmental conditions (as listed above). Include any site-specific conditions such as: remediation/testing/disposal of potential RECs, asbestos, LBP, and/or mold.]

Conditions for Approval

The following mitigation measures are required as conditions for approval of the project

GENERAL ENVIRONMENTAL GRANT CONDITIONS

1. Acquire all required federal, state, and local permits prior to construction and comply with all permit conditions.
2. If the scope of work of a proposed activity changes, the application for funding must be revised and resubmitted for reevaluation under NEPA.

Historic Preservation

3. All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through consultation with the Oklahoma SHPO, Oklahoma Archaeological Survey and Native Tribes with interests in Tulsa County.
4. If project activities uncover archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, the project shall be halted and the applicant shall immediately stop work in the vicinity of 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 applicant will inform Tulsa County and Tulsa County will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).

Endangered Species

5. Incorporate all guidance, BMPs, and mitigation measures provided by USFWS if consultation is required.

Floodplain Management and Flood Insurance

6. After demolition, all parcels must be graded and seeded or otherwise restored to protect floodplain values.
7. No new structure, paving, or other improvements shall be constructed on, and no new modifications or landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding or seeding, or other similar activities) shall be carried out within the floodplain and it shall be limited solely to passive open or green space.

Wetlands Protection and Water Quality

8. Implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters and to prevent erosion in onsite and off-site wetlands and waters.
9. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.

Noise Quality

10. Outfit all heavy equipment with operating mufflers.
11. If applicable, comply with local noise ordinances.

Air Quality

12. Use water or chemical dust suppressant to control excessive dust in exposed areas.
13. Cover the load compartments of trucks hauling dust-generating materials.
14. Wash heavy trucks and construction vehicles before site departure.
15. Reduce vehicle speed on non-paved areas and keep paved areas clean.
16. Retrofit older equipment with pollution controls.
17. Establish and follow specified procedures for managing contaminated materials, including friable ACM discovered or generated during construction.
18. Minimize idling and ensure that all on-road vehicles and non-road construction equipment at the project site use ultra-low sulfur fuel (<15 ppm sulfur) in accordance with the federal Non-road Diesel Rule (40 CFR Parts 9, 69, 80, 89, 94, 1039, 1051, 1065, 1068).
19. If possible, operate newer on-road diesel vehicles and non-road construction equipment equipped with tier 4 engines or an exhaust retrofit device.

Hazardous Materials

20. All activities must comply with applicable federal, state, and county laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
21. Applicant must comply with all laws and regulations concerning the proper handling, removal, and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods). Contaminated materials must be disposed of according to State and local standards, at an approved landfill.
22. Employ spill mitigation measures immediately upon a spill of hazardous material.

Site-Specific Environmental Conditions Summary	
<input type="checkbox"/>	Based on the above review, there are no site-specific environmental conditions that are required for the Project to proceed. All general conditions listed in the applicable County's environmental broad review document must be applied, where appropriate.
<input type="checkbox"/>	Based on this review, all applicable general conditions listed above must be applied, plus the following site-specific environmental conditions are required for the Project to proceed: <ol style="list-style-type: none"> 1) <i>[list all applicable site-specific conditions identified above, e.g., flood insurance, elevation, hazardous material remediation, etc.]</i>

Preparer Name

Signature

Date

Required documents

- Completed and Signed RROF/Certification (HUD 7015.15)
- Tier 2: Site Specific Review Form (includes 24 CFR 58.6 Environmental Review)
- Supporting Documentation including but not limited to:
 - Site Specific Maps documenting Tier 2 findings.
 - Consultation, concurrence, and communication from applicable agencies (ex: DEQ, OKSHPO, etc.)
 - Property address, applicable tax information such as total acreage, date of construction
 - Multiple photographs of subject property and adjacent environment taken during site reconnaissance visit(s)
 - Multiple photographs of accessible wetlands on or adjacent to the property if wetlands were observed during the site survey (include a detailed description on the Tier 2 form and/or field assessment survey if a site reconnaissance form is provided). If wetlands were mapped during Tier 2 review, map showing wetlands and other stated USFWS resources distance from subject property.
 - Multiple photographs of RECs, if RECs were identified (ex: fill pipes, vent pipes, USTs, ASTs, contamination, etc.) and a detailed description.

APPENDIX C
NOTICE OF FINDING OF NO SIGNIFICANT IMPACT, NOTICE OF
INTENT TO REQUEST A RELEASE OF FUNDS AND FINAL NOTICE
AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
100-YEAR FLOODPLAIN

COMBINED PUBLIC NOTICE

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND
FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
100-YEAR FLOODPLAIN AND WETLAND**

April 4th, 2023

Tulsa County
218 W. 6th St.
Tulsa, OK 74119-1004

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster for the 2019 storms that impacted the region. This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by Tulsa County.

REQUEST FOR RELEASE OF FUNDS

On or about April 21st, 2023, Tulsa County will submit a request to the Oklahoma Department of Commerce for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Additional Supplemental Appropriations for Disaster Relief Act, 2019 for major disasters occurring in 2017, 2018, and 2019 (Public Law 116-20), approved on June 6th, 2019 for the Voluntary Buyout Program (VBP). Tulsa County expects to fund the project using approximately \$14,750,000 in CDBG-DR funds.

PROJECT DESCRIPTION

Tulsa County Tier 1 Environmental Assessment
Project Title: Voluntary Buyout Program
Location: Tulsa County, Oklahoma

The total estimated project cost is \$14,750,000.00 in HUD funding
The project involves acquisition and demolition of properties within the Voluntary Buyout Target Areas (VBTA) and Disaster Risk Reduction Areas (DRRA) identified in Tulsa County. Program funds will be used to offer Applicants in these zones a voluntary buyout of their property, so they can relocate to Decent, Safe and Sanitary housing (DSS).

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

This is to give notice that Tulsa County has conducted an evaluation as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded with Community Development Block Grant Disaster Recovery (CDBG-DR) funds under HUD grant number B-19-DF-40-0001.

The proposed project is located in Tulsa County. Following the severe weather events of the storm that passed through Oklahoma from May 7th to June 9th, 2019, many homes in Tulsa County were damaged. The 2019 storms caused extensive damage to homes and personal property across Tulsa County through a combination of destructive weather events. Many residents were left with significant property damage, were displaced from their homes, or have experienced homelessness since the disaster.

The VBP will provide grants for activities necessary to buy out storm-damaged properties and offer relocation assistance to eligible homeowners. The VBP will also offer housing incentives to eligible Low-and Moderate Income (LMI) individuals within the target areas.

Tulsa County is approximately 375,394 acres, of which 73,181 acres are FEMA-designated Special Flood Hazard Areas (SFHA). Within the SFHA designations there are approximately 5,559 acres in zone A, 66,812 acres in zone AE and 811 acres in zone AO. There are approximately 1,093 acres of freshwater emergent wetland, and 8,169 acres of freshwater forested/ shrub wetland.

Tulsa County contains a combination of land use including barren land, cultivated crops, deciduous forest, developed (high, medium, and low intensities), open space, emergent herbaceous wetlands, evergreen forest, grassland/herbaceous, mixed forest, open water, pasture/hay, shrub/scrub, and woody wetlands.

No other alternatives were considered, as they would not serve to meet the dual purpose of helping eligible property owners relocate from the floodplain and to reduce the impact of future flooding disasters on the community.

The only practicable alternative on a programmatic level would be the No Action Alternative, which would mean that Applicants would not receive program funds for relocation or incentives. As a result, these property owners would not be provided financial assistance to relocate outside the VBTA and DRRRA. Thus, their properties would remain vulnerable to repetitive losses from future flooding conditions. Therefore, the No Action Alternative would neither address the County's need for safe, decent, and affordable housing, nor would it acquire properties within the floodplain to be converted to permanent beneficial green space, open space, recreational areas or floodplain management areas.

Tulsa County has reevaluated the alternatives to acquiring properties and demolishing residential structures in the floodplain and wetlands and has determined that there is 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 and 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 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 wetlands, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

Tulsa County has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at Tulsa County, 218 W. 6th St. Tulsa, OK 74119-1004. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <https://www2.tulsacounty.org/community/tulsa-area-emergency-management-agency/flood-buy-out-program/>.

PUBLIC COMMENTS

Any individual, group, or agency wishing to comment on this project may submit written comments to Tulsa County, 218 W. 6th Street, Tulsa, Oklahoma, Attention: Joseph Kralicek, Emergency Manager or via email at jkralicek@tulsacounty.org. All comments received by April 20th, 2023, will be considered by Tulsa County prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

Tulsa County certifies to Oklahoma Department of Commerce that the Tulsa County Board of County Commissioners, in their capacity as 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. Oklahoma Department of Commerce's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities and allows Tulsa County to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

Oklahoma Department of Commerce will accept objections to its release of funds and Tulsa County's certification for a period of fifteen (15) 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 Tulsa County; (b) Tulsa County 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 has committed funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by Oklahoma Department of Commerce; 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 58.76) and shall be addressed to Kellon Dixon, Oklahoma

Department of Commerce, Director of Programs Planning, kellon.dixon@okcommerce.gov, 900 N. Stiles Ave. Oklahoma City, OK 73104. Potential objectors should contact Oklahoma Department of Commerce to verify the actual last day of the objection period.

Tulsa County Board of Commissioners

APPENDIX D
REQUEST FOR RELEASE OF FUNDS (RROF) AND AUTHORITY TO
USE GRANT FUNDS (AUGF)