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DRAFT
Environmental Assessment for the
Nehalem Bay Health Center &
Pharmacy – Relocation of the
Existing NBHCP, Wheeler, Oregon

OMB No.: 0915-0324

OCTOBER 2023

PREPARED FOR
**Health Resources and Services
Administration (HRSA)**

PREPARED BY
SWCA Environmental Consultants

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ENVIRONMENTAL ASSESSMENT FOR THE NEHALEM BAY
HEALTH CENTER & PHARMACY – RELOCATION OF THE
EXISTING NBHCP, WHEELER, OREGON

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1 INTRODUCTION

1.1 Background and Overview

The Nehalem Bay Health Center & Pharmacy (NBHCP) healthcare organization was created in the fall of 1993, when Harry Rinehart, M.D., formed a community advisory group of nearly 20 individuals that helped with the start of an independent practice, the Nehalem Bay Medical Clinic (Rinehart 2023a). Dr. Rinehart opened this practice on January 2, 1994. The Internal Revenue Service (IRS) granted the 501(c)(3) status in January 1996. It took 2 years, but the Rinehart Clinic eventually became a full-fledged not-for-profit entity. Twelve years later, in 2008, the Rinehart Clinic became a federally qualified health center, which allowed the clinic to receive federal funding as a community health center offering primary care services in an underserved area (Rinehart 2023a). In 2021, the Rinehart Clinic Board of Directors voted to change the name of the clinic from “The Rinehart Clinic” to “Nehalem Bay Health Center & Pharmacy.”

NBHCP is a non-profit family health center on the North Oregon Coast that provides comprehensive and personalized healthcare to everyone who requires assistance. Designated a Tier 4 (out of 5) Primary Care Clinic by the Oregon Health Authority, Rinehart Clinic is recognized for its commitment to patient-centered care (Rinehart 2023b). Outpatient, primary health care services are available to everyone, regardless of health condition or financial circumstances. Access to comprehensive mental and behavioral health services is also provided. The clinic welcomes everyone, without regard to race, color, religion, sex, sexual orientation, gender identity, gender expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, and any other status protected by law (Rinehart 2023b).

NBHCP is proposing the relocation and expansion of the existing health center to a new, two-story facility located within a quarter mile of the existing facility in Wheeler, Oregon (the project) (Appendix A, Figure 1). The new building will consist of an approximate 11,600-square-foot first floor and an approximate 7,000-square-foot second floor. The Nehalem Bay Health District (NBHD) owns the land on which the facility will be constructed, with the new facility continuing to provide primary health care services and access to comprehensive mental and behavioral health services. The health center is proposed to double patients currently accessing services from 1,017 people to 2,034 people in the community of northern Tillamook County. The site design also includes space for future development of workforce housing, parking, dental care, and education (Appendix B).

This project is being conducted in accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] 1500–1508).

1.2 Purpose and Need

NBHCP’s service area of Tillamook County consists of 10 zip codes, and includes a total population of 22,036 residents, 38% of whom live at or below 200% of Federal Poverty Guidelines as determined by the Department of Health and Human Services (2023). In the calendar year 2020, Rinehart serviced 1,017 patients. At their time of service, 8% were uninsured and the remaining 92% were covered (34% Medicare; 35% Medicaid, and 23% private insurance), thereby substantiating NBHCP’s role as a safety net provider to vulnerable populations facing significantly poorer health outcomes and barriers to care.

NBHCP is exceeding its capacity in its current location and seeks a larger facility to support increased demands for health services.

NBHCP currently leases its clinic space from the Nehalem Bay Health District (NBHD); a municipal corporation created by voters to help meet the health care needs of the community. During the mid-1980s, the Nehalem Valley Care Center and Rinehart Clinic were built in order to offer services for health district residents and people of Tillamook County. In the fall of 2021, NBHCP also became the medical sponsor for a new school-based health center within the nearby school district.

Following 2 years of collaboration and planning, NBHCP plans to rent property located off coastal highway U.S. Route 101 (U.S. 101) to build a new health center that will be rented from collaborator and property owner, NBHD. Following the demolition of the old facility (currently located at 230 Rowe Street in Wheeler, Tillamook County, Oregon), additional space has become available for the development of the health district's future workforce housing. The construction of a new health center will benefit the residents of the service area and will increase clinic space from 5,200 square feet to 19,000 square feet and provide the capacity for the health center to double patients currently accessing services (from 1,017 to 2,034 patients). Construction of a new health center and pharmacy will increase patient access and provide additional health care services to the community. Current clinic operations will continue during the construction of a new facility.

The new American with Disabilities Act (ADA)-compliant health center will have 14 exam rooms and space to provide increased mental health services as well as dental health services that were previously limited due to lack of space. The additional space will also support health education, a functional kitchen for diabetic meal education, and complementary medicine such as acupuncture. A new, larger 340B Drug Pricing Program pharmacy, space for visiting specialists, and expanded waiting rooms to separate ill patients (to avoid contact exposure to communicable illness) will provide patients the services, safety, and confidentiality they deserve.

2 ALTERNATIVES CONSIDERED

2.1 Alternatives Evaluated

No Action Alternative and Alternative 1 (Proposed Action)

NBHCP evaluated two potential alternatives for the proposed health center and pharmacy: the No Action Alternative and Alternative 1 (Proposed Action). Under the No Action Alternative, the new NBHCP facility will not be relocated and constructed on NBHD-owned property. Alternative 1 will involve replacing the existing facility at 230 Rowe Street in Wheeler, Tillamook County, Oregon with a newly constructed facility at the intersection of Hospital Road (1st Street) and Nehalem Boulevard (U.S. 101). The Alternative 1 site (Proposed Action area) includes the relocation of NBHCP to a newly constructed, approximately 19,000-square-foot facility located off U.S. 101. NBHD's U.S. 101 property provides the additional space necessary to satisfy expansion of NBHCP's healthcare operations and services. Although the proposed new health center and pharmacy facility layout is approximately 19,000 square feet, the Proposed Action area consists of an approximately 1.37-acre lot that will be disturbed by Alternative 1. The location of the site is shown in Appendix A, Figure 1.

2.2 Alternatives Dismissed

To meet the project purpose and need, only alternatives that provided sufficient space to accommodate a new health center and pharmacy to support growing healthcare needs of the local community were evaluated. The relocation of the approximately 19,000-square-foot facility to within a quarter mile of the existing facility in Wheeler, Oregon (Proposed Action area) was the only suitable location available for purchase in Wheeler, so no other alternatives were carried through this environmental assessment (EA).

2.3 Alternatives Considered for Further Review

No Action Alternative

Under the No Action Alternative, the previous NBHCP facility will not be relocated, and the new NBHCP facility will not be constructed. Under the No Action Alternative, facilities will remain outdated and affect patient access to healthcare needs within the community. In addition, the lack of a newly constructed health center and pharmacy will affect the quality of care accessible to patients within Tillamook County.

Alternative 1 (Proposed Action)

Alternative 1 (Proposed Action) will involve building the approximately 19,000-square-foot facility and adjacent parking lot at the intersection of Hospital Road (1st Street) and Nehalem Boulevard (U.S. 101), in Wheeler, Oregon. The Proposed Action area is approximately 1.37 acres and is comprised of maintained grass with light landscaping. The site design includes room for construction of the new health center and pharmacy with approximately 59 parking spaces, three of which provide ADA-accessible parking. The site plan is provided in Appendix B. A summary of potential impacts and mitigation for the Alternatives considered for further review is provided below in Table 2-1.

Construction of the new health center and pharmacy will directly improve access to the community's growing needs to healthcare service. The new facility will include 14 exam rooms (allowing for staff expansion), and space to provide more mental health services and dental health services (three chairs) previously not provided due to lack of space. In addition, the new facility will provide space for health education, a functional kitchen for diabetic meal education, and complementary medicine such as acupuncture. The new facility will also include a new, larger 340B Drug Pricing Program pharmacy, space for visiting specialists, and expanded waiting rooms to separate ill patients to avoid contact exposure with communicable illness. This will in turn contribute to an overall improvement in health outcomes for Tillamook County.

Table 2-1. Summary of Potential Environmental Impacts and Mitigation for Considered Alternatives

Affected Environment	No Action Alternative	Impacts of Alternative 1 (Proposed Action)	Mitigation
Geology, Soils, and Seismic Activity	No new impacts to geology, soils, or seismic activity.	No impacts to geology. Impacts to soils will be minor and temporary during construction. Less than significant impacts associated with seismic activity.	<p>Best management practices (BMPs) such as silt fencing and maintaining soil stockpiles, will be developed and implemented during construction. Additionally, construction spills and leaks will be avoided, contained, and cleaned to the extent practical and reported in accordance with Oregon Department of Environmental Quality (DEQ) requirements. Impacts to soils will be minor and temporary in nature.</p> <p>All buildings constructed for the Proposed Action will be built in accordance with Oregon’s seismic design standard following the Oregon Structural Specialty Code for essential emergency response.</p>
Land Use and Zoning	No new impacts to land use and zoning.	Proposed project facilities are considered compatible with existing and surrounding land use and zoning, and no impacts are anticipated to land use or zoning. Should any rezoning be necessary (e.g., conversion of the whole site to one zoning type versus two), NBHCP will work with the City of Wheeler to comply with all zoning regulations.	None – no mitigation required due to lack of impacts.
Floodplain Encroachment	No new impacts to floodplains.	The Proposed Action is not located within or near the 100-year floodplain, and there will be no impacts to floodplains.	None – no mitigation required due to lack of impacts.
Traffic	No new impacts to traffic.	Minor, insignificant increases in traffic movements will occur, which are not anticipated to significantly impact traffic congestion. The Proposed Action will be located along an urban, principal arterial road that will be able to support minor increases in traffic movements, and adequate parking will be available to support staff and visitors at the facility.	<p>BMPs will be utilized to minimize any potential adverse impacts to local roads as a result of construction activities. BMPs will include dust suppression and proper maintenance of construction vehicles and machinery engines. During construction, parking of construction vehicles will be restricted to the Proposed Action site. Drivers of project construction vehicles will be directed to utilize main roadways, specifically U.S. 101, to access the Proposed Action site to minimize construction vehicles utilizing small local roadways.</p> <p>No mitigation is required for operations, as additional traffic movements are anticipated to be minor and will not lead to a significant impact to traffic congestion.</p>
Hazardous Materials (Public Health and Safety)	No new impacts from hazardous materials or to public health and safety.	Impacts from hazardous materials will be minor and temporary during construction.	BMPs will be developed and implemented during construction. Additionally, construction spills and leaks will be avoided, contained, and cleaned to the extent practical and reported in accordance with Oregon DEQ requirements. Impacts from hazardous materials will be minor and temporary in nature.

Affected Environment	No Action Alternative	Impacts of Alternative 1 (Proposed Action)	Mitigation
Socioeconomic	No new impacts to socioeconomic or environmental justice (EJ) concerns. However, the predominantly minority and low-income populations of the service area will continue to lack adequate access to healthcare facilities and providers in the area.	No project-induced changes to population or income are anticipated, and no adverse EJ impacts are foreseen during construction or operation of the Proposed Action. Positive impacts as described in Section 1.2, resulting from construction of the new health center and pharmacy include benefits to EJ populations by providing much needed, additional access to medical resources for the community with an explicit goal to serve these vulnerable populations.	None – no mitigation required due to lack of impacts.
Air Quality	No new impacts to air quality.	Minor air quality impacts during construction will be minimized through the use of BMPs and compliance with regulations and associated air permits. Impacts to local air quality during the operational phase is anticipated to be insignificant.	BMPs will be implemented to reduce air quality impacts. Air pollutants from the construction equipment will be limited to the immediate vicinity of the construction area and will be temporary. The potential impacts of particulate matter emissions will be minimized by dust control measures such as covering or treating disturbed areas with dust suppression techniques, water sprinkling, covering loaded trucks, and other dust abatement controls, as appropriate. The construction contractors will minimize non-road mobile source air toxics (MSATs) and combustion-related emissions by implementing measures that encourage the use of U.S. Environmental Protection Agency (USEPA)-required cleaner diesel fuels, increasing use of cleaner burning diesel engines, limits on idling time of vehicles, and other emission limitation techniques, as appropriate.
Noise	No new impacts to noise.	During construction, there will be temporary increases to noise from construction activities. With BMPs in place, construction of the Proposed Action is not expected to contribute more than already present ambient sound levels. The Proposed Action will not result in a long-term change in noise levels during operations of the facility.	BMPs will be implemented to reduce noise during construction. Impacts will be minimized by avoiding construction during nighttime and nonbusiness hours. Potential noise impacts will be typical of those experienced in the vicinity of construction areas, will be temporary, and will end when construction is complete.
Public Services and Utilities	No new impacts to public services and utilities.	No increase in demands for fire, police, emergency medical services, schools, recreational services, or other public services are anticipated. The Proposed Action will involve connecting to existing public utilities within the City of Wheeler but this is not expected to result in a significant strain on public utilities.	None – no mitigation required due to lack of impacts.

Affected Environment	No Action Alternative	Impacts of Alternative 1 (Proposed Action)	Mitigation
Water Resources/Water Quality	No new impacts to water resources or water quality.	There are no surface waters or other waters of the U.S. (WOTUS) present on-site. No surface or groundwater impacts are anticipated within the Proposed Action area. Offsite impacts to surface and groundwater resources will be minor, temporary and minimized by BMPs and site plans.	Spill response BMPs will be utilized to reduce any potential indirect impacts to water resources. Construction spills and leaks will be avoided, contained, and cleaned to the extent practical and reported in accordance with Oregon DEQ requirements. Stormwater will be treated per the state’s National Pollutant Discharge Elimination System (NPDES) requirements and City of Wheeler local ordinance requirements before release or potential infiltration. Per Oregon NPDES requirements, an Erosion and Sediment Control Plan will be implemented during project construction and appropriate post-construction stormwater treatment will occur.
Biological Resources	No new impacts to biological resources.	There are no wetlands or other WOTUS identified on-site. As such, no wetland impacts are anticipated from construction of the Proposed Action. There is no suitable habitat present within the Proposed Action site for any federally protected species, and thus no impacts to threatened or endangered species are anticipated.	None – no mitigation required due to lack of impacts.
Cultural Resources	No new impacts to cultural resources.	The Oregon Heritage State Historic Preservation Office reviewed the cultural resources investigation report for the Proposed Action and issued a response on April 11, 2023, concurring with the determination that the cultural resources identified are not eligible for listing in the National Register of Historic Places and no properties will be affected by the new construction. Tribal consultation is being conducted by HRSA.	None – no mitigation required due to lack of impacts.

3 AFFECTED ENVIRONMENTS AND POTENTIAL IMPACTS OF THE ALTERNATIVES CONSIDERED

3.1 Geology, Soils, and Seismic Activity

Geology

The geologic setting of Tillamook County is described from the eastern coast to the mountains of Eocene volcanic terrain of the northern Coast Range (U.S. Geological Survey [USGS] 1994). This region is referred to as the Tillamook Highlands and is characterized by high rainfall, rugged terrain, dense vegetation, and weathered surface outcrops (USGS 1994). Terrain varies in elevation from sea level to 3,700 feet (USGS 1994). The USGS map area includes tertiary marine strata ranging from Eocene to Miocene age on its eastern to western flanks (USGS 1994). Most of the Eocene volcanic sequence consists of thick accumulations of submarine and subaerial basalt interbedded with deep water marine sedimentary rocks (USGS 1994). Regarding the tectonic environment, the USGS (1994) suggests that the volcanic sequence in the Tillamook area can be correlated with a similar sequence in southwest Washington, which was previously considered a separate microplate (Magill et al. 1981) and can be tied to the continental shelf, therefore supporting a local origin for the Tillamook Volcanics.

The Proposed Action is located within the Nestucca Formation of the Nestucca-Hamlet Group. This area is broadly characterized as predominantly tertiary marine strata ranging from Eocene to Miocene age and also contains terrace and alluvial deposits of Quaternary age (USGS 1994). The Nestucca Formation unit is typically thin-bedded, laminated, dark gray tuffaceous mudstone with interbeds of fine- to coarse-grained arkosic and basaltic sandstone (Schlicker et al. 1972; Wells et al. 1994).

Soils

According to the Natural Resources Conservation Service (NRCS) Soil Survey for Wheeler, Oregon (U.S. Department of Agriculture [USDA] NRCS 2023a), approximately 100% of the Proposed Action area, is comprised of one soil map unit, Templeton-Kloutchie complex, 5 to 30 percent slopes (29D). Templeton-Kloutchie complex refers generally to soils in areas of mountain slopes and bases. Templeton series soils are benches, broad ridgetops, and side slopes of mountains consisting of deep, well drained soils that form in colluvium and residuum weathered sedimentary rocks (USDA 2011; USDA NRCS 2023b). Kloutchie series soils are on mountains with slopes of 3 to 90 percent (USDA 2001). Kloutchie series consists of deep and very deep, well drained soils formed in residuum colluvium from volcanic rock (USDA 2001). Areas dominated by this soil type are not considered prime farmland. Depth to bedrock is from 40 to 60 inches and the soil is not hydric (USDA NRCS 2023a). Approximately 100% of the Proposed Action area is comprised of this soil type (USDA NRCS 2023a).

Seismic Activity

According to the Quaternary Fault and Fold Database of the United States, the Proposed Action does not lie directly within any fault areas (USGS 2023a). The closest Class A seismic zone, the Tillamook Bay Fault Zone, is located approximately 8.6 miles from the Proposed Action and the Nehalem Bank Fault is approximately 20 miles away, which, according to the USGS National Seismic Hazard Map, indicates that there is a high chance of seismic activity within the Proposed Action area (USGS 2018). Within the Proposed Action area, the Oregon Statewide Geohazards Viewer indicates a 10%–20% probability of shaking-related damages (Oregon.gov 2023a). The Oregon Statewide Geohazards Viewer shows no liquefaction susceptibility within the Proposed Action area and moderate to high landslide susceptibility

(Oregon.gov 2023a). The most recent earthquake in Tillamook County, Oregon was on July 12, 2023, and was magnitude 1.5 and approximately 20 miles from the Proposed Action area (USGS 2023b). Historically, most earthquakes in Oregon have been below a magnitude 3 and shaking-related damage from magnitude 3 earthquakes typically extends for only a few miles (USGS 2023b, 2023c). Therefore, it is expected that while seismic activity in the Proposed Action area may be classified as “high,” impacts from the actual seismic activity that have historically occurred in the Proposed Action area will be low.

3.1.2 Impacts to Geology, Soils, and Seismic Activity

No Action Alternative

The No Action Alternative will have no impacts on the geology, soils, or seismicity in the Proposed Action area.

Alternative 1 (Proposed Action)

Geology

Alternative 1 will have no impacts to the geology of the Proposed Action area.

Soils

The Proposed Action area soils have been previously disturbed, and construction of the new health center and pharmacy will further disturb soils within the Proposed Action area during site preparation activities. The Templeton-Kloutchie complex soil series is not considered prime farmland. All disturbed and exposed soils will be subject to both wind and water erosion. To minimize potential impacts to soils during construction, silt fence, catch basin hay bales, rock construction entrances, and other stormwater runoff best management practices (BMPs) will be utilized during construction. Other mitigation measures will include avoiding earthwork when soils are too wet or dry, stockpiling topsoil on-site, and restoring and retaining vegetation to the extent practicable. It is expected that increases in erosion potential will be minimal and short term. Additionally, any spills and leaks from equipment during construction will be avoided, contained, and cleaned to the extent practical and reported in accordance with Oregon Department of Environmental Quality (DEQ) requirements. Impacts to soils from the Proposed Action will be minor and temporary in nature.

Seismic Activity

Due to the high chance of seismic activity within the Proposed Action area, there is the potential for seismic impacts on the Proposed Action area. In the event of a major earthquake (magnitude of 7.0 or greater) in the vicinity of the Proposed Action area the proposed facilities could be subject to damages from shaking and potentially subject to landslides which could cause injury and structural damages to bridges and buildings, as well as pipeline ruptures and service interruptions. However, since most earthquakes in Oregon historically have been below a magnitude 3, the probability of a major earthquake affecting the Proposed Action area appears low (USGS 2023a). Executive Order 12699 directs all federal agencies to incorporate cost-effective seismic safety measures in all new buildings that are constructed, leased, assisted, or regulated by the federal government. All buildings constructed for the Proposed Action will be built in accordance with Oregon’s seismic design standard following the Oregon Structural Specialty Code for essential emergency response (Oregon.gov 2023b). Structural design measures along with historical probability of minor magnitude (3 or less) earthquakes in the Proposed Action area reduces the likelihood of seismic activity impacts to a less than significant level.

3.2 Land Use and Zoning

The Proposed Action is located within the city boundaries and within the central portion of the City of Wheeler. The land is owned by NBHD and has minimally landscaped open space. Current land use is mapped primarily as developed, low intensity and developed, open space by the National Land Cover Database (USGS 2021). Land use in the surrounding area is similar, with varying levels of development (USGS 2021). The Proposed Action area is zoned by City of Wheeler as general commercial, which is intended to provide for the full range of commercial land uses within the city. The zoning district regulations are intended to promote the orderly development and improvement of walkable commercial areas; facilitate compatibility between dissimilar land uses; provide employment opportunities in proximity, and with direct connections, to housing; and to ensure efficient use of land and public facilities (Oregon.gov 2023c). The surrounding area is zoned as residential 1 (R1) and public lands (P) (City of Wheeler n.d.).

3.2.1 Impacts to Land Use and Zoning

No Action Alternative

The No Action Alternative will have no impacts on land use or zoning in the Proposed Action area.

Alternative 1 (Proposed Action)

The Proposed Action area for Alternative 1 is located within the City of Wheeler, along a main road that supports numerous commercial businesses. Although there is also mixed residential use in the area, previous land use at this site has been to support existing commercial development in the area rather than residential. Thus, construction of a medical facility such as the new health center and pharmacy is considered compatible with the existing and surrounding land use and zoning, and there are no anticipated impacts to land use or zoning for the Proposed Action.

3.3 Floodplain Encroachment

Executive Order 11988 requires that a federal agency avoid direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. The Federal Emergency Management Agency (FEMA) uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program. According to the FEMA FIRM panel number 41057C0209F (effective date September 28, 2018), the Proposed Action is not located within the 100-year floodplain (FEMA 2023; Appendix A, Figure 2).

3.3.1 Impacts to Floodplains

No Action Alternative

The No Action Alternative will have no impacts to the 100-year floodplain.

Alternative 1 (Proposed Action)

The Proposed Action area is located outside of the 100-year floodplain. Therefore, the Proposed Action will have no impact on floodplains.

3.4 Traffic

Roadways in the immediate vicinity of the Proposed Action are shown in Appendix A, Figure 1. The Proposed Action will use a network of existing roads to access project construction areas, with Hospital Road as the main access point for the Proposed Action area. Access to the Proposed Action area will be from U.S. 101 to Hospital Road; the construction ingress point is from the existing road, Hospital Road, for entry into the new health center and pharmacy. Once the Proposed Action is complete, the new health center and pharmacy access will be from Hospital Road. Hospital Road is classified as a local road, which typically carries only local/neighborhood streets (Portland.gov 2023). Hospital Road is bidirectional with two-way traffic flow in northeastern and southwestern directions. It also serves as an access point to U.S. 101 for surrounding residences.

U.S. 101 is classified as an arterial road that serves the major traffic movements within urbanized areas connecting central business districts, outlying residential areas, major intercity communities, and major suburban centers, but there is no controlled access. U.S. 101 is bidirectional with two travel lanes and no median (Google Earth 2023). The 2021 average annual daily traffic count on U.S. 101 (site number 1026) was 4,997 vehicles per day; the 2019 count was 4,900 (Oregon.gov 2023c). Of those vehicles, the majority are class 2, passenger cars (61.5%); class 3, four-tire, single unit trucks (ambulances) (18.8%); and class 5, two-axle, six-tire trucks (tow trucks, service vehicles) (9.8%) (Oregon.gov 2023c).

3.4.1 Impacts to Traffic Patterns

No Action Alternative

The No Action Alternative will have no impacts to traffic patterns.

Alternative 1 (Proposed Action)

During the construction phase, the Proposed Action is anticipated to average fewer than 50 traffic movements a day. Due to the limited, low number of traffic movements expected during the construction phase, the Proposed Action is not anticipated to substantially increase existing traffic (4,997 movements daily in 2021) within the vicinity of the Proposed Action or elsewhere in the City of Wheeler. BMPs will be utilized to minimize any potential adverse impacts to local roads as a result of construction activities. BMPs will include dust suppression and proper maintenance of construction vehicles and machinery engines. During construction, staging of construction vehicles will be restricted to the Proposed Action site, and drivers of project construction vehicles will be directed to utilize main roadways, specifically Hospital Road, for accessing the Proposed Action site to minimize construction vehicles utilizing smaller local roadways.

In 2020, NBHCP assisted 1,017 patients. The proposed facility will accommodate double the number of patients (2,034). To serve these patients, the new health center and pharmacy will add an estimated 13 new staff (five of which are current vacancies) to the existing staff of 38 to provide care to the approximately 1,017 additional new users per year. Assuming that existing staff and deliveries are currently included in traffic counts, new staff and patients will add an estimated 2,000 to 3,000 trips per year, or approximately 30 to 35 new traffic movements per day during operations (26 for new staff and up to 9 for new patients). The new health center and pharmacy has proposed approximately 19,000 square feet of the Proposed Action area to provide 59 parking spaces on-site to support staff and visitors, which will provide adequate parking for projected needs of the facility.

Given that the average annual daily traffic count on U.S. 101 was recorded as 4,997 vehicles per day in 2021 (Oregon.gov 2023d), it is anticipated that this roadway will be able to absorb the 20 additional daily

traffic movements without a substantial increase in congestion. Therefore, the Proposed Action is not projected to noticeably impact traffic along adjacent or other nearby roads.

3.5 Hazardous Materials (Public Health and Safety)

A hazardous material is any material that, because of its quantity, concentration, or physical and chemical characteristics, poses a significant present or potential hazard to human health and safety or the environment if released. Management of hazardous materials, substances, and waste (including storage, transportation, and spills) is conducted in compliance with 29 CFR 1910; 49 CFR 100–185; 40 CFR 100–400; Comprehensive Environmental Response, Compensation, and Liability Act; Resource Conservation and Recovery Act; Superfund Amendment Reauthorization Act; Toxic Substances Control Act; Clean Water Act; and other federal and state regulations and policies regarding hazardous materials management.

The Proposed Action is located within the municipal boundaries of the City of Wheeler. The current land use is mapped primarily as developed, low intensity development and developed, open space. Based on a review of available aerial images from 1982 to 2022 (Historic Aerials 2023), the Proposed Action area and surrounding area land use appears relatively consistent with current uses of developed open space. Additionally, review of the Oregon DEQ Quality Data Viewer (Oregon.gov 2023e) and the National Pipeline Mapping System (Pipeline and Hazardous Materials Safety Administration n.d.), did not identify any solid waste facilities, Superfund sites, gas or hazardous liquid pipelines (and related incidents/accidents), liquid natural gas plants, or breakout tanks within 2 miles of the Proposed Action area.

NBHD commissioned a Phase I Environmental Site Assessment of the Proposed Action area (Hahn and Associates, Inc. 2021). The site reconnaissance did not identify any recognized environmental conditions or historical recognized environmental conditions on the property. Further, no aboveground storage tanks, 55-gallon drums, significant quantities of hazardous substances, petroleum products, or hazardous wastes were observed. The report did note that former structures will have been served by septic systems and that, should any be encountered during site development, they should be decommissioned according to applicable regulations. Similarly, the report noted that former structures could have been served by oil heating and that, should any underground storage tanks be encountered during site development, they should be decommissioned according to applicable regulations.

3.5.1 Impacts from Hazardous Materials

No Action Alternative

There will be no impacts from hazardous materials under the No Action Alternative.

Alternative 1 (Proposed Action)

The presence of hazardous or toxic materials on-site is unlikely; therefore, no impacts on the Proposed Action are anticipated with respect to the presence of hazardous materials and potential exposure. During the construction phase, the Proposed Action could result in an introduction of hazardous material to the environment due to the potential for spills or leaks of fuel, petroleum products, or other hazardous materials from construction equipment. BMPs will be utilized in order to prevent and minimize impacts from spills during construction. Additionally, should any septic systems or underground storage tanks be encountered during site development, they will be decommissioned according to applicable regulations. During operations, no hazardous materials will be stored on-site. As such, no impacts due to hazardous materials are anticipated from operation of the Proposed Action.

3.6 Socioeconomic Issues

This assessment evaluates the effects of the Proposed Action on socioeconomic indicators in Tillamook County. These indicators include population level and demographics, employment, housing, tourism, and demand for public services. This assessment also considers potential impacts to environmental justice communities, as defined below.

With a population density approximately half the state average, Tillamook County is reasonably characterized as rural. As is often the case in rural areas, the county has a lower per capita income and higher rate of poverty than the state average; however, the unemployment rate in Tillamook County is lower than the state average (4.8 percent versus 5.6 percent). Employment is centered in four sectors: 1) education, health care, and social assistance; 2) arts, entertainment, recreation, accommodation, and food service; 3) retail trade; and 4) manufacturing (USCB 2021a).

Executive Order (EO) 12898, Federal Action to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations, directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects of agency programs, policies, and activities on minority populations and low-income populations, known collectively as EJ populations. The primary guidance for implementing EJ assessments at the federal level was prepared in response to EO 12898 and outlines the principles for EJ analysis (CEQ 1997). This was further supplemented in 2004 by guidance from the Department of Energy (DOE 2004). In 2016, guidance on how to identify minority populations under these two standards was provided by the Federal Interagency Working Group on Environmental Justice and NEPA Committee (FIWG), and in 2019, the FIWG identified and discussed a range of potential approaches to EJ assessment (FIWG 2016, 2019).

EJ communities are identified based on race and income. The potential for disproportionate and adverse impacts to EJ communities is evaluated by considering whether members of the EJ communities will be more sensitive to Proposed Action-related impacts than the general public due to income status, historical exclusion based on race or ethnicity, inability to respond to the action, or increased exposure potential. If such impacts are judged likely to occur, mitigation methods are identified.

The EJ analysis area includes all block groups within 1 mile of the Proposed Action. As such, the environmental justice analysis area is comprised of three block groups. The 1-mile threshold was selected because potential impacts to humans arising from construction-related changes in parameters such as air quality, noise, and aesthetics are likely to be most acute near the Proposed Action and then dissipate rapidly. Although the city of Wheeler is nested within Census Tract 9601.02, Block Group 2, data for the city was assessed in the EJ analysis as if it were a block group.

Table 3-1 identifies each block group in the EJ analysis area and includes several measures relevant to the assessment of EJ. Data for Tillamook County is included as a basis for characterizing EJ communities. Data for the United States and the state of Oregon are included as references.

For the purpose of this study, a low-income person is defined as a person associated with an income at or below twice the Federal poverty level as reported in Table C17002 of the 2021 American Community Survey (ACS) 5-year estimates. A minority person is any person who self-identifies as any race other than “white-alone, not Hispanic” in Table B03002 of the 2021 ACS 5-year estimates.

Consistent with the CEQ (1997) guidance, the following criteria were used to characterize block groups with respect to income and ethnicity.

- Low-income block groups are defined as those in which 50% of the households are defined as low-income, OR the proportion of low-income households exceeds the same measure for the county within which the block group is located.
- Minority block groups are defined as those in which the percentage of the block group’s population self-identifying as something other than “white-alone, not Hispanic” exceeds 50 percent OR if the percentage of the block group’s population self-identifying as something other than “white-alone not Hispanic” exceeds 110 percent of the same measure for the county in which the block group is located.

As reported in Table 3-1, out of the three block groups that make up the EJ analysis area and the city of Wheeler, one block group and the city of Wheeler are identified as EJ communities due to income only. No block groups are identified as EJ communities due to ethnicity.

Table 3-1. Socioeconomic Characteristics and Environmental Justice Indicators (2021 American Community Survey 5-Year Estimates)

Geographic Area	Total Population	Percent White alone (Not Hispanic or Latino)	Percent Minority Population ^{1,2}	Per Capita Income	Median Household Income	Percent Below Twice the Federal Poverty Level ²
United States	329,725,481	59.4%	40.6%	\$37,638	\$69,021	29.2%
Oregon	4,207,177	74.1%	25.9%	\$37,816	\$70,084	28.7%
Tillamook County	27,129	83.3%	16.7%	\$31,501	\$55,730	31.9%
Census Tract 9601.01, Block Group 3	675	92.9%	7.1%	NR	NR	17.2%
Census Tract 9601.02, Block Group 1	848	83.4%	16.6%	NR	NR	19.6%
Census Tract 9601.02, Block Group 2	885	94.7%	5.3%	NR	NR	39.7%
City of Wheeler	392	93.4%	6.6%	\$27,517	\$45,227	46.2%

Sources: USCB 2021a, 2021b, 2021c.

¹ "Minority" refers to people who self-identify as something other than "White Alone not Hispanic or Latino."

² Low-income, minority, and limited English proficiency populations exceeding the established thresholds are indicated by shading.

NR – not reported

3.6.1 Socioeconomic Impacts

No Action Alternative

Under the No Action Alternative, the minority and low-income populations of the service area will continue to lack adequate access to healthcare facilities and providers in the area.

Alternative 1 (Proposed Action)

The Proposed Action is in a commercial use area, with residential uses surrounding the commercial district. Land for the Proposed Action area will be on a currently abandoned lot that was acquired in 2021 for use as a medical clinic. The Proposed Action will meet the purpose of providing increased capacity of health care services in the city of Wheeler and Tillamook County.

The workforces for projects similar to the Proposed Action (i.e., construction of municipal buildings, residential development, or healthcare facilities) are typically drawn from local contractors whose employees reside within commuting distance of the project. As such, construction of the project is not anticipated to change the population of Tillamook County and will not significantly impact the county's demographics, employment, housing, tourism, or demand for public services. The Proposed Action involves relocating an existing facility; therefore, operation of the Proposed Action is not anticipated to materially alter socioeconomic conditions in Tillamook County.

When conducting this EJ assessment, the full range of Proposed Action-related changes that could affect humans was considered (e.g., construction and or operations related changes in air quality, changes in water quality, degradation of cultural resources, socioeconomic alterations, etc.). As detailed throughout the other sections of this report, impacts on environmental and cultural resources due to construction and operation of the Proposed Action will not be significant. Therefore, the EJ communities in Census Tract 9601.02, Block Group 2 and the city of Wheeler will not be adversely affected by the Proposed Action. Additionally, as described in Section 1.2, construction of the new health center and pharmacy will provide additional access to medical resources for the community with an explicit goal to serve vulnerable populations.

3.7 Air Quality

The Clean Air Act (CAA) established the principal framework for national, state, and local efforts to protect air quality in the United States. Under the CAA, the U.S. Environmental Protection Agency (USEPA) has promulgated National Ambient Air Quality Standards (NAAQS) to protect human health and welfare. The NAAQS include primary standards, which are designed to protect human health, including the health of sensitive subpopulations such as children and those with chronic respiratory problems. The NAAQS also include secondary standards designed to protect public welfare, including economic interests, visibility, vegetation, animal species, and other concerns not related to human health.

NAAQS currently apply to the following criteria pollutants: particulate matter (PM) with a nominal aerodynamic diameter of 10 microns or less (PM₁₀); PM with a nominal aerodynamic diameter of 2.5 microns or less (PM_{2.5}); sulfur dioxide (SO₂); nitrogen dioxide (NO₂); carbon monoxide (CO); ozone (O₃); and lead (Pb). In addition to the NAAQS, states and municipalities are free to adopt standards that are more stringent than the NAAQS. Oregon has adopted all the NAAQS listed in the Oregon Revised Statutes Volume 13 Title 36A Chapter 468A (Oregon State Legislature 2021).

In addition to the criteria air pollutants for which there are NAAQS, the USEPA also regulates air toxics. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources (e.g., airplanes), area sources (e.g., dry cleaners), and stationary sources (e.g., factories or refineries). Mobile Source Air Toxics (MSATs) are a subset of the 188 air toxics defined by the CAA. The MSATs are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The USEPA has designated specific areas as NAAQS attainment or non-attainment areas. Non-attainment areas are any areas that do not meet (or that contribute to ambient air quality in a nearby area that does not meet) the quality standard for a pollutant. Attainment areas are any areas that meet ambient air quality standards. The Proposed Action is in the USEPA Air Quality Control Region 192, Northwest Oregon (USEPA 2023a). This region includes the NBHCP current site as well as its planned site for relocation and expansion and is designated as an area that is in attainment for all NAAQS (USEPA 2023b). The federal conformity rule refers to Section 176(c) of the CAA, which requires federal actions to conform to the appropriate State Implementation Plan. Because Wheeler is in attainment for all criteria pollutants, the provisions of the federal conformity rule do not apply.

3.7.1 Impacts to Air Quality

No Action Alternative

The No Action Alternative will have no impacts to air quality.

Alternative 1 (Proposed Action)

Construction activities for the Proposed Action will result in emissions of fugitive dust from vehicular traffic and soil disturbance, and combustion emissions from diesel- and gasoline-fired construction equipment. Such air quality effects, however, will generally be temporary and localized, and are not expected to cause or significantly contribute to an exceedance of the NAAQS. Large earth-moving equipment and other mobile sources are sources of combustion-related emissions, including criteria pollutants (e.g., NOX, CO, VOC, SO₂, and PM₁₀) and small amounts of hazardous air pollutants. Air pollutants from the construction equipment will be limited to the immediate vicinity of the construction area and will be temporary. The potential impacts of PM emissions will be minimized by dust control measures such as covering or treating disturbed areas with dust suppression techniques, sprinkling, covering loaded trucks, and other dust abatement controls, as appropriate. The construction contractors will minimize non-road MSAT and combustion-related emissions by implementing measures that encourage the use of USEPA-required cleaner diesel fuels, increasing use of cleaner burning diesel engines, limits on idling time of vehicles, and other emission limitation techniques, as appropriate. Considering the temporary and transient nature of construction-related emissions as well as the mitigation actions to be utilized, it is not anticipated that emissions from construction of the Proposed Action will have any significant impact on air quality in the Proposed Action area.

Operating emissions of the Proposed Action will not reach the levels of a major source as defined in Oregon Administrative Rules (OAR) 340-200-0020: 66. The Proposed Action will not increase identifiable ambient air pollution levels from any new or existing emission source. The Proposed Action also will not generate a major increase in the number of or use of automobiles, trucks, or deliveries to the site; therefore, no increase in identifiable ambient air pollution levels will arise from vehicular activity. Consequently, the Proposed Action is not anticipated to result in an adverse impact to air quality.

3.8 Noise

3.8.1 Noise Current Conditions

The Proposed Action is in a mixed-use urban area in the City of Wheeler. There are many businesses, homes, roads, and other human-generated noise sources in the vicinity that contribute to the baseline noise level. There are numerous commercial businesses in the vicinity, including Wheeler on the Bay Lodge, the Roost coffee shop, C. Jacob Woods woodworking supplies, Green Man Collective dispensary, Old Wheeler hotel, Wheeler Antiques, and others to the northeast. Wheeler City Hall is located adjacent to the property and lies directly north of the property. To the south is Nehalem Bay Pharmacy and Nehalem Valley Care Center. The property is also surrounded by residential properties on the northeastern, southern, and western sides. To the northwest, the property is bordered by the Nehalem River, historic-age train tracks, and U.S. 101. Roadway traffic and railroad noise will be the major contributors to the noise environment at this site. The nearest sensitive receptors to the site are inhabited homes and complexes 0.01 mile to the south and east of the Proposed Action area. The nearest school and church are located at the New Discoveries Pre-School, which is approximately 2.14 miles northwest, and the Nehalem Bay United Methodist Church, which is approximately 2.03 miles northwest.

Within the City of Wheeler, structural or roadway construction, demolition, and/or repair of buildings may not produce noise beyond the sound pressure levels established within local limits of the zoning district classifications (e.g., residential, commercial/business, or agriculture/industrial) and specific times of day (7:00 a.m. – 10:00 p.m. or 10:00 p.m. – 7:00 a.m.) as set out by Chapter 340, Division 35 of the Oregon Secretary of State, DEQ Code of Ordinances (Oregon Secretary of State 2022).

3.8.2 Impacts to Noise Conditions

No Action Alternative

The No Action Alternative will have no impacts to noise conditions.

Alternative 1 (Proposed Action)

During construction, there will be temporary increases of noise from construction activities. Noise levels associated with heavy equipment such as backhoes and earth movers are estimated at about 80 to 90 decibels (dB) at the source (Federal Highway Administration 2011). Impacts will be minimized by avoiding construction during nighttime and nonbusiness hours. Noise impacts will be typical of those experienced in the vicinity of construction areas and will be temporary, ending when construction is complete. Construction of the new facility will not be expected to contribute more than the already present ambient sound.

Surrounding land uses also include other commercial development such that operation of the new health center and pharmacy will not result in a long-term change in noise levels from the already present ambient sound. The largest sources of ambient noise in the vicinity will continue to be roadway traffic and railroad noise. The Proposed Action will comply with all state, county, and city noise codes or ordinances during construction and operation.

3.9 Public Services and Utilities

The Proposed Action area is located within the municipal boundaries of the City of Wheeler and is served by the City's programs and utilities. There are several public resources, services, and facilities within 4

miles of the Proposed Action area (Table 3-2). Under Alternative 1, the new health center and pharmacy will connect to existing public utilities within the City of Wheeler. The City provides some services such as sewage and water, while other utilities are provided in partnership with other entities such as Columbia Power Cooperative, Columbia Basin Electric Cooperative, and Wasco Electric Cooperative (Oregon Department of Energy 2018; Columbia Basin Electric Cooperative 2020; Wasco Electric Cooperative 2023; Find Energy 2022).

Table 3-2. Public Services within 4 Miles of the Proposed Action Area

Department	Location	Distance from Alternative 1 Location
Fire and Rescue		
Nehalem Bay Fire and Rescue Sub Station	36375 N Hwy 101, Nehalem, OR 97131	2.39 miles northwest
Nehalem Fire and Rescue District Station 11	37115 Hwy 53 Nehalem, OR 97131	2.90 miles northeast
Law Enforcement		
Manzanita Police Department	Manzanita, OR 97130	3.12 miles northwest
Hospital with Emergency Room		
Adventist Health – Urgent Care	1000 3rd St Tillamook, OR 97141	2.76 miles northwest
Medical Clinic		
Nehalem Bay Health Center & Pharmacy	230 Rowe Rd, Wheeler, OR	0.2 miles south
Educational Facilities		
Nehalem Grade School	36300 8th St, Nehalem, OR 97131	2.12 miles northwest

3.9.1 Impacts to Public Services and Utilities

No Action Alternative

The No Action Alternative will have no impacts on public services or utilities.

Alternative 1 (Proposed Action)

The Proposed Action will not cause any significant population changes to the City of Wheeler and is intended to meet the demand of the current population. Under the No Action Alternative, the number of employees will remain unchanged. Under the Proposed Action, NBHCP will add an estimated 13 new staff (five of which are current vacancies) to the existing staff of 38. This increase in staffing is not expected to result in any increased demands for fire, police, or emergency medical services. There will be no impacts to schools, recreational services, or other public services.

The Proposed Action will involve connecting to existing public utilities within the City of Wheeler while also disconnecting from existing public utilities at the current clinic location, and therefore, will not be expected to result in a significant strain on public utilities. Thus, this alternative is not anticipated to impact public utilities.

3.10 Water Resources/Water Quality

3.10.1 Groundwater Existing Conditions

The Proposed Action area overlies an unconsolidated-deposit aquifer of the Pacific Northwest basin-fill aquifer (Whitehead 1994). Unconsolidated-deposit aquifers consist primarily of sand and gravel and are the most productive and widespread aquifers in Oregon (Whitehead 1994). The Proposed Action area is not located within a state-designated groundwater area of concern or an USEPA-designated sole source aquifer (USEPA 2023c). There are no drinking water wells located directly on-site. One domestic water well is listed within 0.5 mile of the Proposed Action. This well is located approximately 0.3 mile to the northwest. The use is unknown as the location is within the city of Wheeler, which has domestic water infrastructure (Oregon.gov 2023f). Groundwater was not encountered during on-site geotechnical investigations; regional groundwater levels in the Proposed Action area range between 7–10 feet below ground surface (Carlson Geotechnical 2021).

No Groundwater Management Areas are designated in the Proposed Action area (Oregon.gov 2023g). These areas are designated by the DEQ when groundwater in an area has elevated contaminant concentrations resulting, at least in part, from nonpoint sources.

3.10.2 Impacts to Groundwater

No Action Alternative

The No Action Alternative will have no impacts to groundwater.

Alternative 1 (Proposed Action)

The Proposed Action will only involve near surface excavation during construction activities, and no water wells or groundwater will be used for construction or operations of the New Health Center and Pharmacy. Additionally, there are no drinking water wells located directly on-site. Any potential impacts to groundwater associated with development will likely be limited to potential construction related spills/leaks and post-construction runoff from paved surfaces. Construction spills and leaks will be avoided, contained, and cleaned to the extent practical and reported in accordance with Oregon DEQ requirements. Per Oregon National Pollutant Discharge Elimination System (NPDES) requirements, an Erosion and Sediment Control Plan will be implemented during project construction and appropriate post-construction stormwater treatment will occur. Stormwater will be treated per the NPDES requirements and City of Wheeler local ordinance requirements before release or potential infiltration. Accidental spill response BMPs will be integrated into construction activities of the Proposed Action area. By implementing spill response BMPs and the Erosion and Sediment Control Plan impacts to groundwater will be minimized.

3.11 Surface Water Existing Conditions

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S. (WOTUS), including wetlands, pursuant to Section 404 of the Clean Water Act (USEPA 20223d). A review of the USGS National Hydrography Dataset and the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory was conducted to determine the potential for surface water features (USGS 2023d; USFWS 2023a; Appendix A, Figure 2). No features were identified within the Proposed Action area.

There are no sensitive public or private source water protection areas to indicate a protection area for a surface water drinking water source within the Proposed Action area (Oregon.gov 2023h). Therefore, there are no anticipated impacts to surface waters that are used as a drinking water source.

3.11.1 Impacts to Surface Waters

No Action Alternative

The No Action Alternative will have no impacts to surface waters.

Alternative 1 (Proposed Action)

There are no surface waters or other WOTUS identified on the Proposed Action site. Additionally, there are no source water protection areas within the Proposed Action area (Oregon.gov 2023h). An Erosion and Sediment Control Plan and spill response BMPs will be implemented during construction to reduce any potential indirect impacts to surface water resources located off-site. As such, no surface water impacts, including surface waters used for drinking water, are anticipated from construction of the Proposed Action.

3.12 Biological Resources

3.12.1 Wetlands Existing Conditions

The USACE regulates the discharge of dredged or fill material into WOTUS, including wetlands, pursuant to Section 404 of the Clean Water Act (USEPA 2023d). In addition, Executive Order 11990, Protection of Wetlands, directs federal agencies to take actions to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands on federal property. Under Section 404, a permit is required from the USACE for any activities involving the discharge of dredged or fill material into WOTUS, including wetlands and tidally influenced waters. A review of the USFWS National Wetlands Inventory map (USFWS 2022a) of the area was conducted to determine the potential for wetlands. A total of 34 wetland and surface water features were identified within 2,000 feet of the Proposed Action area. Table 3-3 shows wetlands and other surface water features and their approximate distances from the Proposed Action area.

Table 3-3. Wetlands and Surface Water Features within 2,000 Feet of the Proposed Action Area

Code	Habitat Description	Distance from Alternative 1 Location (feet)
E1UBL	Estuarine Marine Deepwater	147
E2EM1N	Estuarine and Marine Wetland	1758
E2EM1N	Estuarine and Marine Wetland	1514
E2EM1P	Estuarine and Marine Wetland	868
E2EM1P	Estuarine and Marine Wetland	1194
E2EM1P	Estuarine and Marine Wetland	671
E2EM1P	Estuarine and Marine Wetland	1186
E2EM1P	Estuarine and Marine Wetland	454
E2EM1P	Estuarine and Marine Wetland	968

Code	Habitat Description	Distance from Alternative 1 Location (feet)
E2USM	Estuarine and Marine Wetland	1741
E2USN	Estuarine and Marine Wetland	1142
PEM1C	Freshwater Emergent Wetland	776
PEM1R	Freshwater Emergent Wetland	1982
PFO1R	Freshwater Forested/Shrub Wetland	1536
PFOA	Freshwater Forested/Shrub Wetland	1309
PFOA	Freshwater Forested/Shrub Wetland	466
PSS1R	Freshwater Forested/Shrub Wetland	1136
PUBHX	Freshwater Pond	887
R3UBH	Riverine	1099
R5UBH	Riverine (Gervais Creek)	422
R4SBC	Riverine	1678
R4SBC	Riverine	1892
R4SBC	Riverine	1106
R4SBC	Riverine	1017
R4SBC	Riverine	880
R4SBC	Riverine	638
R5UBH	Riverine	1964
R5UBH	Riverine	670
R5UBH	Riverine	1113
R5UBH	Riverine	1134
R5UBH	Riverine	1899
R4SBC	Riverine	1173
R4SBC	Riverine	768
R4SBC	Riverine	1879

Source: USFWS (2023a).

3.12.1.1 IMPACTS TO WETLANDS

No Action Alternative

The No Action Alternative will have no impacts to wetlands or other WOTUS.

Alternative 1 (Proposed Action)

There are no wetlands or other WOTUS identified on the Proposed Action site. As such, no wetland impacts are anticipated from construction of the Proposed Action.

3.12.2 Threatened and Endangered Species

The species evaluated in this EA were identified by the USFWS via the Information for Planning and Consultation (IPaC) website as being known or believed to occur within the Proposed Action area (USFWS 2023b; Appendix C). The USFWS lists four federally protected species with the potential to

occur within the Proposed Action area (Table 3-3). These species include the Pacific marten (*Martes caurina*), marbled murrelet (*Brachyramphus marmoratus*), northern spotted owl (*Strix occidentalis caurina*), and western snowy plover (*Charadrius nivosus nivosus*). Two species, the red tree vole (*Arborimus longicaudus*) and monarch butterfly (*Danaus plexippus*), were included on the IPaC for the Proposed Action area. These species currently do not receive federal protections but are under consideration by USFWS for listing under the Endangered Species Act (ESA). No designated critical habitat for any listed species is present in the Proposed Action area (USFWS 2023b). Effects to the bald eagle (*Haliaeetus leucocephalus*) were also assessed in relation to their protections under the Bald and Golden Eagle Protection Act (BGEPA) (Table 3-4; USFWS 2007). The golden eagle (*Aquila chrysaetos*) is also protected under the BGEPA; however, their migration and breeding ranges do not extend into Tillamook County. Therefore, the golden eagle was eliminated from further evaluation (NatureServe 2023; USFWS 2023c).

Desktop review of Oregon Biodiversity Information Center (ORBIC) publicly available data shows that there are no state-listed species with the potential to occur within the project area (ORBIC 2023a; iNaturalist 2023). A request for state-listed species was sent to ORBIC and 10 element occurrences were reported within two miles of the Proposed Action area. Species reported included anadromous fish, plants and one bird species. ORBIC data results showed that there were no state-listed threatened or endangered species occurrences within two miles of the Proposed Action area (ORBIC 2023b).

Table 3-4. Species Evaluation Summary

Common Name (Scientific Name)	Federal Status*	Habitat Requirements	Potential for Occurrence in Proposed Action Area	Anticipated Determination of Effect
Mammals				
Pacific marten (<i>Martes caurina</i>)	T	Pacific martens are closely associated with late-successional, mixed conifer forests with multi-layer stands with high shrub densities, including areas of serpentine soils (Oregon Conservation Strategy 2023; Slauson et al. 2007). This species may be found in other forest types, provided there is a high density of snags and logs for denning and foraging (Oregon Conservation Strategy 2023). This species is known to occur within 15 counties within Oregon, including Tillamook County (USFWS 2023d). In 2014–2015, the USDA Forest Service conducted a survey resulting in detection of 28 individual Pacific martens within the central and south coast regions of coastal Oregon (USDA Forest Service 2016). The diet of Pacific martens is primarily small mammals, such as mice, voles, chipmunks, and squirrels, but also includes mid-sized mammals and birds, insects, carrion, and fruits/berries (Washington Department of Fish and Wildlife 2023). Breeding season typically takes place in June through August and lasts 3 months (Animalia 2023).	<i>Unlikely to occur.</i> The Proposed Action area is void of trees, snags, and other structures that will provide suitable habitat to this species. Additionally, no suitable, unfragmented forest or designated critical habitat is present within the Proposed Action area (USFWS 2023b). Due to the small footprint of the site and lack of vegetation, the Proposed Action area will not provide suitable habitat for the species.	<i>No effect.</i>
Red tree vole (<i>Arborimus longicaudus</i>)	C	Red tree voles are endemic to the humid coniferous forests west of the crest of the Cascade Mountains in Oregon and northwestern California (USFWS 2023e). The red tree vole occurs in western Oregon from the Cascade crest to the Pacific Coast (USFWS 2023e). This species is known to occur within 11 counties in Oregon, including Tillamook County (USFWS 2023e). This species is found almost exclusively in Douglas-fir (<i>Pseudotsuga menziesii</i>) canopy dominant forests, with Douglas-fir needles providing nesting habitat and the primary food source for red tree voles (USDA USFS 1992). However, this species also will feed on needles of grand fir (<i>Abies grandis</i>), Sitka spruce (<i>Picea sitchensis</i>), and western hemlock (<i>Tsuga heterophylla</i>) (USDA USFS 1992). Red tree voles	<i>Unlikely to occur.</i> There is no critical habitat listed for this species (USFWS 2023b). The Proposed Action area is void of trees that will provide suitable habitat for this species.	<i>No effect.</i>

Common Name (Scientific Name)	Federal Status*	Habitat Requirements	Potential for Occurrence in Proposed Action Area	Anticipated Determination of Effect
		have limited home ranges, (<0.5 acre) with a typical dispersal distance less than the length of a football field (USFWS 2023e).		
Birds				
Marbled murrelet (<i>Brachyramphus marmoratus</i>)	T	This species spends the majority of its time on the ocean, resting and feeding on small schooling fish and invertebrates in near-shore marine waters and will venture inland to nest (USFWS 2023f). Marine foraging areas are usually within 1.2 to 3 miles of shore, typically in waters less than 100 feet deep (USFWS 2023f). This species nests in old-growth forests characterized by large trees, moderate to high canopy closure with multiple canopy layers (USFWS 2023f). This species does not make nests, but instead lays a single egg on a mat of moss, lichen, or debris (USFWS 2023f). Typical nest stands are dominated by Douglas fir in Oregon. This species is present in 16 counties within Oregon, including Tillamook County (USFWS 2023f).	<i>Unlikely to occur.</i> The Proposed Action area does not overlap with critical habitat for this species (USFWS 2023b). While the species may occur transiently over the Proposed Action area, this species is unlikely to occur due to the lack of suitable habitat present on-site.	<i>No effect.</i>
Northern spotted owl (<i>Strix T occidentalis caurina</i>)	T	This species inhabits structurally complex forests from southwestern British Columbia, through Washington and Oregon, and into northern California (USFWS 2023g). This species is present in 22 counties within Oregon, including Tillamook County (USFWS 2023g). Northern spotted owls are nocturnal and primarily feed on small forest mammals, including flying squirrels, woodrats, voles, and mice (USFWS 2023g). This species does not build its own nest, but instead seek out naturally occurring nest sites such as broken-top trees, tree cavities, mistletoe brooms, debris accumulations, or nests built by other wildlife such as raptors or squirrels (USFWS 2023g). Females usually lay one to two eggs in late March through April, but timing can vary by latitude and elevation (California Department of Fish and Wildlife 2023).	<i>Unlikely to occur.</i> The Proposed Action area does not overlap with critical habitat for this species (USFWS 2023b). While the species may occur transiently over the Proposed Action area this species is unlikely to occur within the Proposed Action area due to the lack of suitable forested habitat for nesting and foraging.	<i>No effect.</i>

Common Name (Scientific Name)	Federal Status*	Habitat Requirements	Potential for Occurrence in Proposed Action Area	Anticipated Determination of Effect
Western snowy plover (<i>Charadrius nivosus nivosus</i>)	T	This species inhabits barren to sparsely vegetated sand beaches, dry salt flats in lagoons, dredge spoils deposited on beach or dune habitat, levees and flats at salt-evaporation ponds, river bars, along alkaline or saline lakes, reservoirs, and ponds (USFWS 2023h). Nests are found in dry depressions typically lined with pebbles, shell fragments, fish bones, mud chips, vegetation fragments, or invertebrate skeletons (USFWS 2023h). Western snowy plovers primarily feed on terrestrial and aquatic invertebrates. This species breeds along the Pacific Coast of the U.S. and wanders along the coasts of Baja Peninsula, western Mexico, Gulf of Mexico, and Guatemala (USFWS 2023h). This species is known to occur in eight counties in Oregon, including Tillamook County (USFWS 2023h).	<i>Unlikely to occur.</i> The Proposed Action area does not overlap with critical habitat for this species (USFWS 2023b). While the species may occur transiently over the Proposed Action area, this species is unlikely to occur within the area due to the lack of suitable habitat.	<i>No effect.</i>
Bald eagle (<i>Haliaeetus leucocephalus</i>)	O	Ranges throughout North America. Found in forested areas primarily near large bodies of water (Campbell 2003).	<i>Unlikely to occur.</i> The size and isolated nature of any trees adjacent to the Proposed Action area will not provide suitable habitat for this species.	<i>Will not cause a take.</i>
Insects				
Monarch butterfly (<i>Danaus plexippus</i>)	C	Spring and fall migration occur across the United States with summer breeding occurring within the northern United States, including the state of Oregon (USFWS 2023i). Suitable breeding habitat during migration consists of open pastures and prairies where monarch butterflies lay their eggs on obligate milkweed (typically <i>Asclepias</i> spp.). This species is a generalist forager of nectar-producing plants (USFWS 2023i).	<i>May occur.</i> No critical habitat has been designated for this species (USFWS 2023b). While the species may incidentally flyover the Proposed Action area during migration, the monarch butterfly is unlikely to occur within the Proposed Action area due to the urban/landscaped setting and lack of nectar-producing plants. It is possible that milkweed and nectar-producing plants may be incidentally and temporally present adjacent to the Proposed Action area or found in opportunistic edge habitat within the area.	<i>No effect.</i>

* USFWS Status Definitions

C = Candidate. Plants and animals for which the USFWS has sufficient information on their biological status and threats to propose them as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities.

E = Endangered. The ESA specifically prohibits the take of a species listed as endangered. Take is defined by the ESA as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to engage in any such conduct.

PE = Proposed Endangered. Candidate species that were found to warrant listing as endangered, after completion of a status review and consideration of other protective conservation measures.

T = Threatened. The ESA specifically prohibits the take of a species listed as threatened.

O = Other. Additional formal federal protections under the BGEPA.

3.12.2.1 IMPACTS TO THREATENED OR ENDANGERED SPECIES

No Action Alternative

The No Action Alternative will have no impacts on threatened or endangered species.

Alternative 1 (Proposed Action)

There is no suitable habitat present within the Proposed Action site for any federally or state protected species. As such, no impacts to threatened or endangered species are anticipated.

3.13 Cultural Resources

3.13.1 Cultural Resources, Historic Properties, and Archaeological Resources Current Conditions

NEPA requires agency officials to consider the degree that an action might “adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places” (NRHP) (40 CFR 1508.27 [b][3] and 40 CFR 1508.27 [b][8]). The NRHP, which was established under the National Historic Preservation Act of 1966, as amended (NHPA) (54 United States Code [USC] 3001 et seq.), identifies historic properties based on their relationship to significant historic events or individuals; important stylistic or engineering trends; or in their potential to provide information about the local, regional, or national past (36 CFR 60[a-d]).

Under Section 106 of the NHPA, agencies are required to try to identify, in coordination with other interested parties including State Historic Preservation Offices and Native American tribal groups, whether historic properties are present within the area of effect of an undertaking and whether they will be significantly impacted by that undertaking. Projects that are directed, overseen, funded, partially funded, or permitted by a federal agency are considered undertakings. The NEPA process may take the place of a Section 106 review, as long as the processes are substantially similar and involve the same parties (36 CFR 800.8).

In order to identify if the undertaking will affect historic properties, a cultural resources study of the Proposed Action area was conducted in 2022 (Roulette 2022). Based on background research the closest previously recorded archaeological resource to the Proposed Action area is a nineteenth-century timber vessel submersed shipwreck archaeological site. The site is indicated on the Oregon State Historic Preservation Office’s Oregon Archaeological Resources Remote Access (OARRA) database and is located 350 feet northwest of the Proposed Action area in Nehalem Bay. No other archaeological sites have been recorded within 1 mile of the Proposed Action area. Roulette (2022) also reported on the possible location of an “Indian Village site” shown on the OARRA database as overlapping the southern side of the Proposed Action area. The location of the village site as depicted on the OARRA database was likely information gathered by Robert Suphan from the Tillamook Tribe in the 1950s. However, the village site’s location has not been confirmed, and there are no other accounts as to the location of the village site in the location of the Proposed Action area. According to Roulette (2022), Robert Suphan may have been “mistaken” in his recording of the village site’s location. Further, within the Proposed Action area, Lot 400 formerly contained the second iteration of Wheeler public school buildings and a Methodist Church as shown on Sandborn Maps, historical aerial imagery, and historical photographs (Roulette 2022).

Roulette (2022) conducted an archaeological survey in August 2022 to investigate the location of the “Indian Village site” and to test for archaeological materials associated with the Wheeler public school buildings, specifically relating to evidence of educational materials. A field crew conducted pedestrian survey and excavated a total of six shovel test probes within the Proposed Action area. No artifacts were observed during shovel test probe excavations. However, Roulette (2022) identified and recorded historical archaeological structural features related to the former Wheeler public school: a concrete foundation to the gymnasium building and a concrete slab obscured by vegetation. Roulette (2022) designated these structural features as field archaeological site number AAR-2606-1.

Roulette (2022) recommended AAR-2606-1 not eligible for listing on the NRHP, and that no additional cultural resources work be required other than an Inadvertent Discovery Plan be in place for the Proposed Action.

On April 11, 2023, the Oregon State Historic Preservation Office concurred with recommendation that the cultural resource identified is not eligible for listing in the NRHP and no historic properties will be affected by the undertaking. The Oregon State Historic Preservation Office concurrence letter is included in Appendix D. Tribal consultation will be conducted by HRSA. Three tribes were identified in the Proposed Action area: Confederated Tribes of Siletz Indians, Confederated Tribes of the Grand Ronde, and Confederated Tribes of the Warm Springs Reservation.

3.13.2 Impacts to Cultural Resources, Historic Properties, and Archaeological Resources

No Action Alternative

The No Action Alternative will have no impact to cultural resources and no effect on historic properties.

Alternative 1 (Proposed Action)

The Proposed Action will involve the clearing of vegetation and existing historical foundations, grading of the project site, filling, and construction of a new, single-story, 19,000-square-foot health center within the Proposed Action area. Roulette’s (2022) cultural resources investigation conducted in August 2022 indicated no historic properties are present within the Proposed Action area.

3.14 Coordination and Permits

All necessary permits and coordination with governing agencies will be the responsibility of the architect and/or contractor(s) selected for site construction. All construction and required regulatory permits will be maintained and posted at the construction site.

In accordance with applicable local, state, and federal regulations, NBHCP will acquire any necessary permits prior to commencing construction at the Proposed Action site.

4 AGENCIES CONSULTED, PUBLIC INVOLVEMENT, AND LITERATURE CITED

Agencies Consulted

As part of the development of this EA, resource protection agencies were contacted and invited to participate in the EA process. Agencies consulted include ORBIC (formerly the Oregon Natural Heritage Program), and the Oregon Heritage State Historic Preservation Office. Copies of consultations are provided in Appendix D. Three tribes were identified in the Proposed Action area (see Section 3.13.) and tribal consultations will be conducted by HRSA.

While no formal consultation with USFWS was required (due to *no effect* determination), agency data was obtained regarding federally listed threatened and endangered species and their habitats.

Public Involvement

The Proposed Action will be made available to the public on the NBHCP website (www.nehalemhealth.org). The Notice of Availability will be posted in Tillamook Headlight Herald newspaper and on the NBHCP website for a 15-day public comment period.

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APPENDIX A

Figures



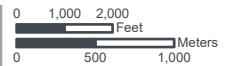
NEHALEM BAY HEALTH CENTER
HRSA EA PROJECT

Figure 1:
Location Map

 Project Area

Tillamook County, OR
USGS 7.5' Quadrangle:
Nehalem, OR, 45123-F8
T2N R10W Section 02,03
NAD 1983 StatePlane Oregon
North FIPS 3601 Feet
45.6882°N 123.884°W

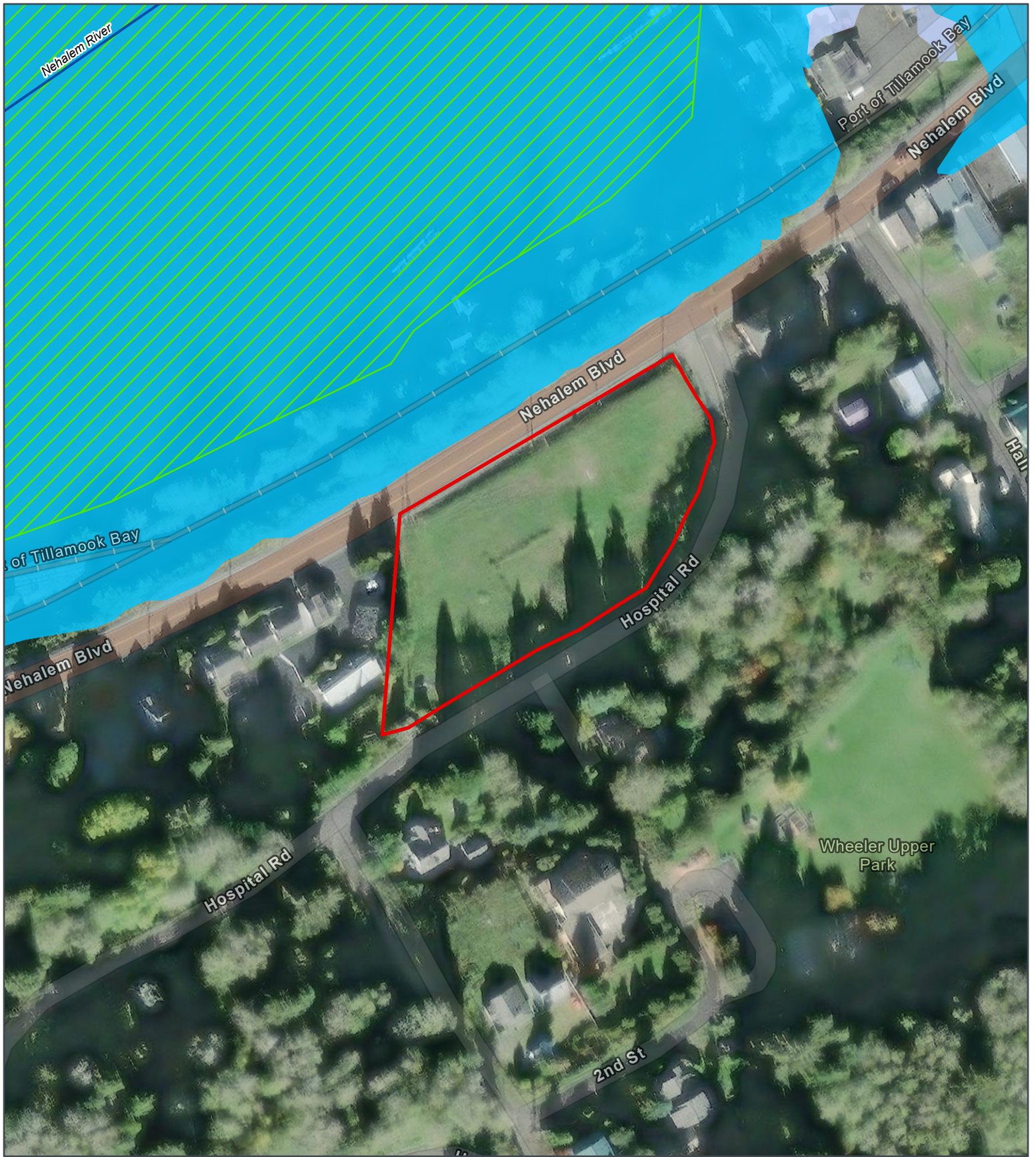
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Updated: 10/5/2023
Project No. 83010
Layout: 1_Location Map
Aprx:



1:48,000



SWCA
ENVIRONMENTAL CONSULTANTS

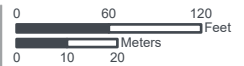


NEHALEM BAY HEALTH CENTER
 HRSA EA PROJECT
Figure 2:
Aquatic Resources
Map

- Project Area
- NHD Stream/River
- NWI Wetland
- 100-year Floodplain
- 500-year Floodplain

Tillamook County, OR
 USGS 7.5' Quadrangle:
 Nehalem, OR, 45123-F8
 T2N R10W Section 02,03
 NAD 1983 StatePlane Oregon
 North FIPS 3601 Feet
 45.6881°N 123.8842°W

Base Map: ESRI ArcGIS Online,
 accessed October 2023
 Updated: 10/5/2023
 Project No. 83010
 Layout: 2_Aquatic Resources Map
 Aprx:



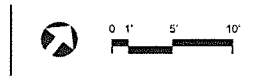
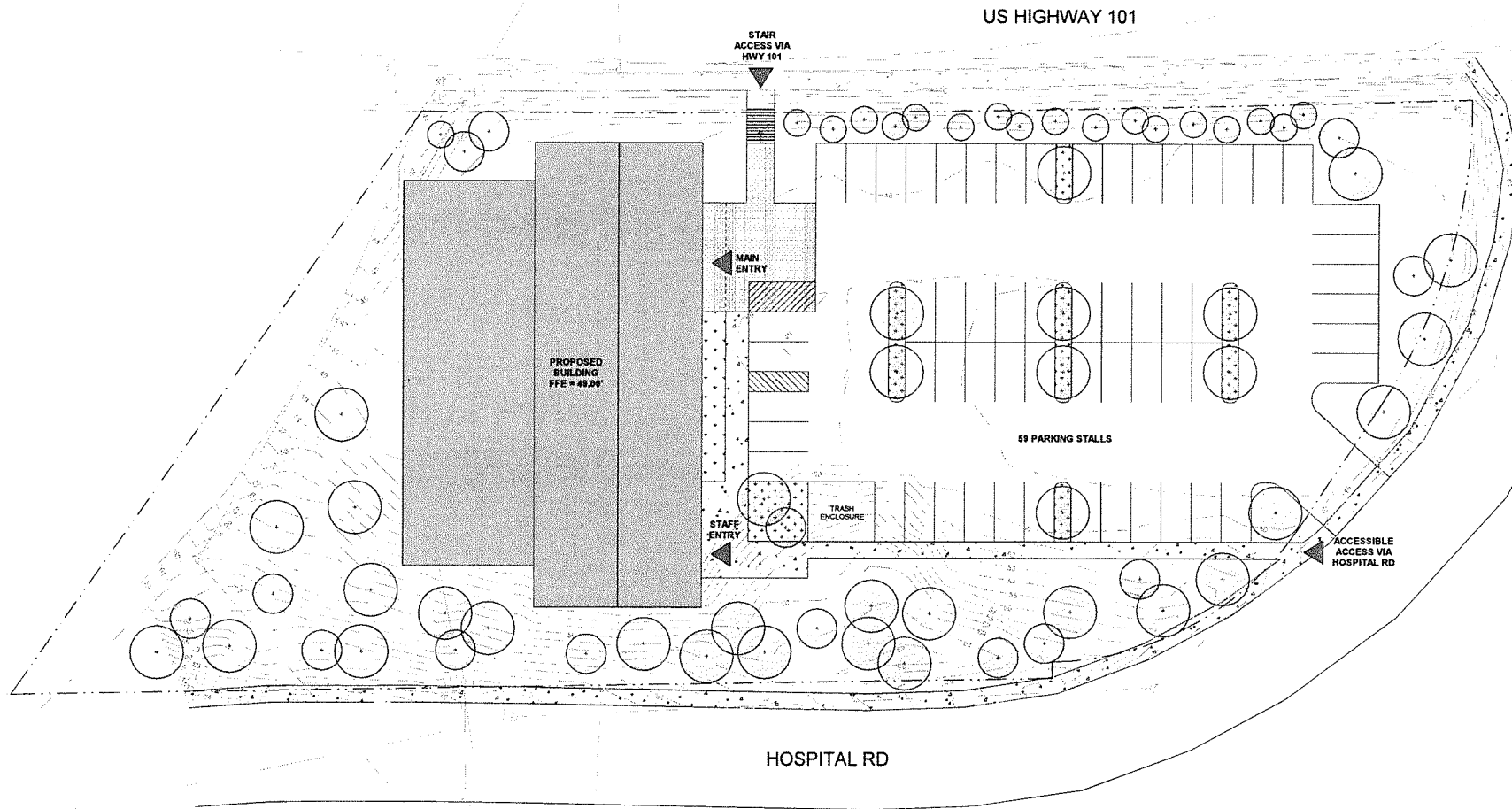
1:1,500



SWCA
 ENVIRONMENTAL CONSULTANTS

APPENDIX B

Site Plan



APPENDIX C

U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Oregon Fish And Wildlife Office
2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398
Phone: (503) 231-6179 Fax: (503) 231-6195

In Reply Refer To:
Project Code: 2023-0127106
Project Name: Nehalem Bay Health Center & Pharmacy Project

September 11, 2023

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.*). This is not a consultation.

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 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 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:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.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/program/migratory-bird-permit/what-we-do>.

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/library/collections/threats-birds>.

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/partner/council-conservation-migratory-birds>.

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:

Oregon Fish And Wildlife Office
2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398
(503) 231-6179

PROJECT SUMMARY

Project Code: 2023-0127106
Project Name: Nehalem Bay Health Center & Pharmacy Project
Project Type: New Constr - Above Ground
Project Description: Expansion of Nehalem Bay Medical Clinic
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.6881116,-123.88435507478786,14z>



Counties: Tillamook County, Oregon

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 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
Pacific Marten, Coastal Distinct Population Segment <i>Martes caurina</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9081	Threatened
Red Tree Vole <i>Arborimus longicaudus</i> Population: North Oregon Coast DPS No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8830	Candidate

BIRDS

NAME	STATUS
Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Northern Spotted Owl <i>Strix occidentalis caurina</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/1123	Threatened
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

INSECTS

NAME	STATUS
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.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

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 [USFWS 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
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 Jan 1 to Sep 30
Black Swift <i>Cypseloides niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Aug 10
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	Breeds elsewhere

NAME	BREEDING SEASON
Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Rufous Hummingbird <i>selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Wrentit <i>Chamaea fasciata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 10

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.

BCC Rangewide
(CON)

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 to 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: SWCA Enviornmental Consultants

Name: Kasandra Resendiz

Address: 10245 West Little York Rd. Suite 600

City: Houston

State: TX

Zip: 77040

Email: kasandra.resendiz@swca.com

Phone: 8325453226

APPENDIX D

Agency Consultations



Oregon

Tina Kotek, Governor

Parks and Recreation Department

Oregon Heritage/
State Historic Preservation Office
725 Summer St. NE, Suite C
Salem, OR 97301-1266
(503) 986-0690
Fax (503) 986-0793
oregonheritage.org



April 11, 2023

Gail Nelson
The Rinehart Clinic
PO Box 176
Wheeler, OR 97147

RE: SHPO Case No. 22-0340
Rinehart Clinic Nehalem Bay Health District
New construction on vacant land
2N 10W 2, 3, Tillamook County

Dear Gail Nelson:

Thank you for submitting information for the undertaking referenced above. We concur with the determination that the cultural resource(s) identified is(are) not eligible for listing in the National Register of Historic Places. We concur that there will be no historic properties affected for this undertaking.

This concludes consultation with our office under Section 106 of the National Historic Preservation Act (per 36 CFR Part 800) and/or Oregon Revised State (ORS) 358.905-961, ORS 358.653, and ORS 97.740-760 for archaeological resources. If you have not already done so, be sure to consult with all appropriate Native American tribes and interested parties regarding the proposed undertaking.

If the undertaking design or effect changes or if additional historic properties are identified, further consultation with our office will be necessary before proceeding with the proposed undertaking. Additional consultation regarding this case must be sent through Go Digital. In order to help us track the undertaking accurately, reference the SHPO case number above in all correspondence.

Please contact our office if you have any questions, comments or need additional assistance.

Sincerely,

Jamie French, M.A.
Assistant State Archaeologist
(503) 979-7580
Jamie.French@oprds.oregon.gov

cc: Don Pattee, Applied Archaeological Research, Inc

From: [Nina Woolsey](#)
To: [INR/ORBIC Data](#)
Subject: RE: Data Request
Date: Monday, October 2, 2023 12:55:00 PM
Attachments: [image001.png](#)

Ok great. Yes, please go ahead and do the 1-mile radius around the Project. Please include the Project name and number on any billing invoices: Project: NBHCP HRSA EA / Project Number: 83010

Thanks so much.

Nina Woolsey
Lead Project Manager

SWCA Environmental Consultants
10245 West Little York Rd, Suite 600
Houston, Texas 77040
C 409.599.1190



Visit Our Website: <http://www.swca.com>

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From: lwise@pdx.edu <lwise@pdx.edu> **On Behalf Of** INR/ORBIC Data
Sent: Monday, October 2, 2023 12:47 PM
To: Nina Woolsey <Nina.Woolsey@swca.com>
Subject: Re: Data Request

Hello Nina,

Our standard is to provide a PDF report of any rare species records within a 2-mile radius of your site, but we can go down to a 1-mile buffer minimum search distance. The buffer accounts for potential movement of species and as proxy information as most private lands have not been surveyed or if surveys have been done that data often has not provided info to us. Generally these reports are around \$150, with a fee breakdown is \$115.00 per hour of staff time required, plus a \$0.60 per record fee, and a \$60.00 computer access fee.

If you'd like to proceed, I can provide the report via email by the end of this week.

Regards,
Lindsey

On Fri, Sep 29, 2023 at 7:56 AM Nina Woolsey <Nina.Woolsey@swca.com> wrote:

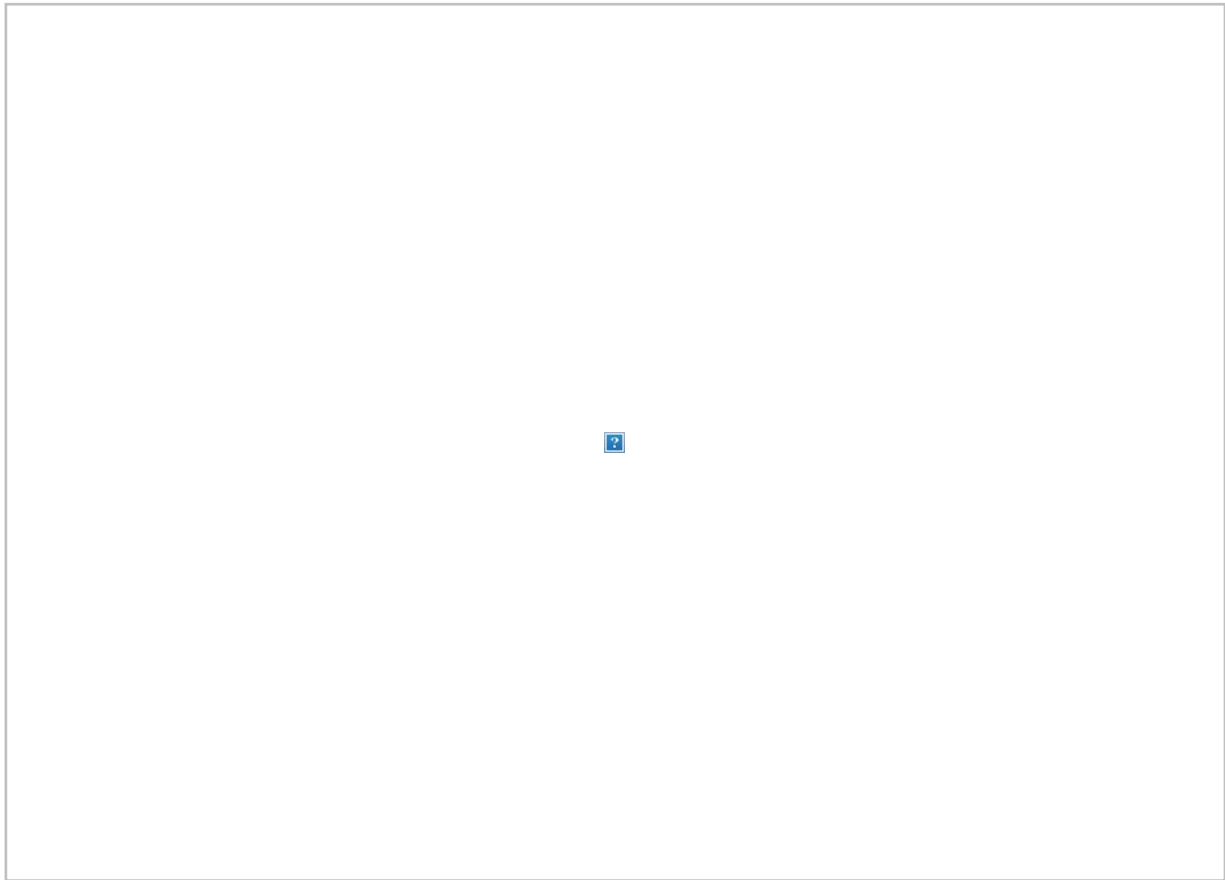
Good Morning,

I was hoping to get confirmation that there is no known presence of rare species within a project area I am reviewing. The site is already cleared and developed, but they are going to put a new building on the site and will get federal funding to do so. As such, the proponent has to write an Environmental Assessment to

satisfy National Environmental Policy Act (NEPA) requirements. The lat and long of the site is:



Below is a screenshot of the site (titled "Nehalem Bay Pharmacy") and attached is a topo map with the Project area outlined. Please let me know if you require any additional information.



Nina Woolsey
Lead Project Manager

SWCA Environmental Consultants
10245 West Little York Rd, Suite 600
Houston, Texas 77040
C 409.599.1190



Visit Our Website: <http://www.swca.com>

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* Data fees: \$115/hr staff time + \$60 computer fee + \$0.60 per record. *

New to our rare species data? [View tutorials online.](#)
Primary data contact: Lindsey Wise (*she/her*)
General work schedule: M-F 9:00 am - 3:30 pm
Oregon Biodiversity Information Center | <http://inr.oregonstate.edu/orbic>
Institute for Natural Resources - Portland | <https://www.pdx.edu/institute-natural-resources/>
Street | Portland State University | SEC 140 | 2118 SW 5th Ave. | Portland OR 97201
Mail | Institute for Natural Resources | Mailcode: INR | P.O. Box 751 | Portland, OR 97207
Phone | 503-725-9951 General Office | 503-725-9950

OREGON BIODIVERSITY INFORMATION CENTER

Institute for Natural Resources



Mail Stop: INR
Post Office Box 751
Portland, Oregon 97207
503.725.9950
<http://inr.oregonstate.edu/orbic>

October 10, 2023

Nina Woolsey
SWCA Environmental Consultants
10245 West Little York Rd, Wuite 600
Houston, Texas 77040

Dear Ms. Woolsey:

Thank you for requesting information from the Oregon Biodiversity Information Center (ORBIC). We have conducted a data system search for rare, threatened, and endangered plant, animal, and fungi records for your NBHCP HRSA EA / Project Number: 83010 Project in Nehalem Bay Pharmacy.

Ten (10) element occurrence records were noted within a two-mile radius of your project and are included on the enclosed database report.

Please remember that a lack of rare element information from a given area does not necessarily indicate there are no significant elements present, only that there is no information known to us from the site. To ensure there are no significant elements present that may be affected by your project, you should inventory the site during the appropriate season.

This data is confidential and for the specific purposes of your project and is **not to be distributed**. Please also note that as our database is continually updated, the data in this report should be considered current for a maximum of one year from the date it was generated and should not be cited thereafter.

Please forward the included invoice to the appropriate party in your organization for payment.

If you need additional information or have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Lindsey Wise".

Lindsey Wise
Biodiversity Data Manager
inrdata@pdx.edu
<https://inr.oregonstate.edu/orbic/data-requests>
503.725.9951

encl.: **invoice (INR-101023-LKW1)**
database report and data key