FINAL

Hillsboro Airport (HIO)

Documented Categorical Exclusion for

Sky Harbour Jet Hangars

February 26, 2026

Prepared by:

Port of Portland

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APPENDIX A. DOCUMENTED CATEX

Airport sponsors may use this form for projects eligible for a categorical exclusion (CATEX) that have greater potential for extraordinary circumstances or that otherwise require additional documentation, as described in the FAA Order 1050.1 (current version) and FAA Order 5050.4B (collectively, FAA Environmental Orders).

To request a CATEX determination from the FAA, the sponsor should review potentially affected environmental resources, review the requirements of the applicable special purpose laws, and consult with the Airports District Office or Regional Airports Division Office staff about the type of information needed. The form and supporting documentation should be completed in accordance with the provisions of FAA Order 5050.4B, paragraph 302b, and submitted to the appropriate FAA Airports District/Division Office. The CATEX cannot be approved until all information and documentation is received and all requirements have been fulfilled.

Name of Airport, LOC ID, location:

Hillsboro Airport (HIO)
3355 Cornell Rd
Hillsboro, Oregon 97124

Project Title:

HIO Sky Harbour Jet Hangars

Give a brief, but complete description of the proposed project, including all project components, justification, estimated start date, and duration of the project. Include connected actions necessary to implement the proposed project (including but not limited to moving NAVAIDs, change in flight procedures, haul routes, new material or expanded material sources, staging or disposal areas). Attach a sketch or plan of the proposed project. Photos can also be helpful.

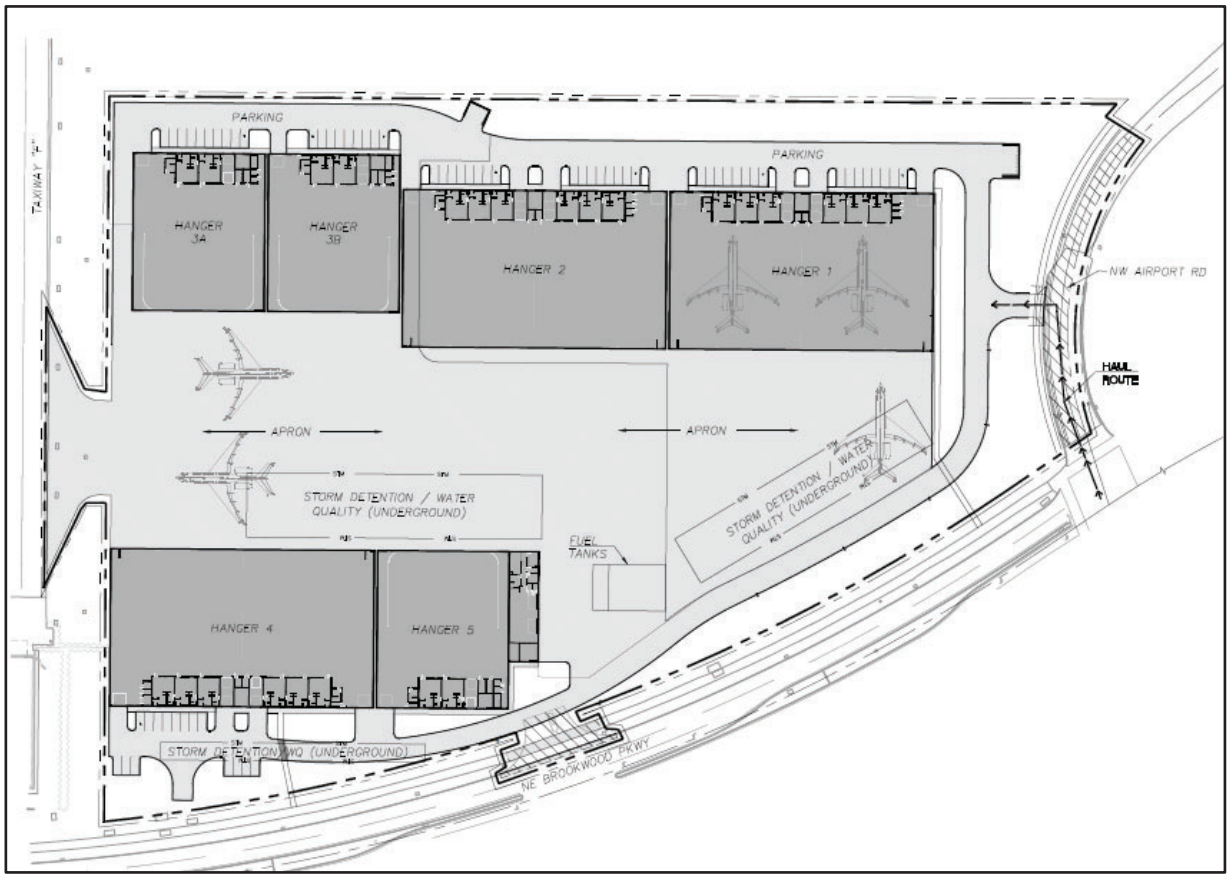
The 934-acre Portland-Hillsboro Airport (Airport or HIO) is classified as a General Aviation – Reliever Airport in Washington County, Oregon. HIO is owned and operated by the Port of Portland (Port). As the second busiest airport in Oregon, the Airport is home to corporate flight departments, aircraft charter services for business travel, air ambulance services, TV news helicopters, flight schools, aircraft maintenance and repair operations, a corporate air shuttle service, and a U.S. Customs and Border Protection office for international flights. More than 25 businesses operate at HIO.

Sky Harbour, a Port tenant, is proposing a development project at HIO on land that is currently undeveloped. Sky Harbour provides facilities for the corporate aviation sector. The proposed development would utilize a parcel of land in the northeast portion of the airport. The development would include aircraft hangars with office space, aircraft ramp, above-ground fueling facilities, ground services equipment support, stormwater treatment and hydromodification mitigation, and personal vehicle facilities. The development would connect with two existing intersections on NE Brookwood

Parkway for landside access and utilize Taxiway F for its airfield connection by constructing a new taxiway connection.

In total, the HIO Sky Harbour Development project will construct 11.09 acres of new impervious surface of which 6.54 acres are pollution generating (PGIS) and 4.55 acres are non-pollution generating buildings. There will be 0.24 acres of impervious surface removal for a net increase of 6.30 acres of PGIS. The deepest excavation is expected to be 12 feet. The proposed improvements are shown below and in Appendix A.

Post-construction water quality treatment will be provided for new PGIS, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated runoff will then flow overland, or via stormwater conveyance system, to Dawson Creek.



Give a brief, but complete, description of the proposed project area. Include any unique or natural features within or surrounding airport property.

Hillsboro Airport is located in the City of Hillsboro, Washington County, Oregon. The Airport is bound by NE Evergreen Rd to the north, NE Cornell Rd to the south, NE 25th Ave to the west and NE Brookwood Parkway to the east. HIO is located approximately 2 miles northeast of the city center of Hillsboro, within the city limits. The airport, classified as an industrial land use, is surrounded by roads. Adjacent land uses include industrial, commercial, agriculture, and public uses.

Natural features in the project vicinity include Dawson Creek which is located across Brookwood Parkway, about 1,500 feet to the east. Flow ultimately drains to the Tualatin River, which is located approximately 3.5 miles south of the project site. The parcel to be developed was previously farmed for grass seed. Existing piped stormwater infrastructure is present adjacent to the parcel.

Identify the appropriate CATEX paragraph(s) from the current version of Order 1050.1 or 5050.4B (Tables 6-1 and 6-2) that apply to the project. Describe if the project differs in any way from the specific language of the CATEX or examples given as described in the Order.

B-2.4. Categorical Exclusions for Facility Siting, Construction, and Maintenance. **(F)** Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval, or FAA construction or limited expansion of accessory on-site structures, including storage buildings, garages, hangars, t-hangars, small parking areas, signs, fences, and other essentially similar minor development items. **(u)** Approval of an ALP for installation of on-airport, aboveground storage tanks or underground storage tanks (USTs) on airport property where the FAA has authority to approve or disapprove an ALP or FAA installation, repair, or replacement of USTs and aboveground storage tanks at FAA facilities. These actions must comply with FAA Order 1050.15, Fuel Storage Tanks at FAA Facilities, and EPA regulations, 40 CFR parts 112, 280, and 281 as applicable. This CATEX includes the closure and removal of a fuel storage tank, and the remediation of contaminants resulting from a fuel storage tanks at an FAA facility or on an airport where the FAA has ALP approval or disapproval authority of the project, provided those actions occur in accordance with the order and the regulations noted above. The establishment of bulk fuel storage and associate distribution system is not within the scope of this CATEX. Those actions are subject to § 1.5(c)(5) of this Order. (ATO, ARP)

The circumstances FAA must consider when documenting a CATEX are listed below along with each of the impact categories related to the circumstance. Use FAA Environmental Orders and the Desk Reference for Airports Actions, as well as other guidance documents to assist you in determining what information needs to be provided about these impact categories to address potential impacts. Keep in mind that FAA must analyze both construction and operational impacts. Indicate whether or not there would be any effects under the particular impact category and, if needed, cite available references to support these conclusions. Additional analyses and inventories can be attached or cited as needed.

5-2.b(1) National Historic Preservation Act (NHPA) resources

	YES	NO
Are there historic/cultural resources listed (or eligible for listing) on the National Register of Historic Places located in the Area of Potential Effect? If yes, provide a record of the historic/cultural resources located therein and check with your local Airports Division/District Office to determine if a Section 106 finding is required. Archaeological Investigations Northwest (AINW) conducted an archaeological survey of the project APE in October and December of 2025 which included background review, pedestrian survey and excavations of 24 shovel tests. AINW identified no archaeological resources, and no historic-period buildings or structures within the APE (AINW 2026, Attachment B). Based on the results of the cultural resource survey, AINW recommended a finding of "No Historic Properties Affected" for the Sky Harbour Development project. The FAA consulted with SHPO (Case No. 26-0320) and the Tribes regarding the project. No comments were received during the 30-day comment period.	☐	☒
Does the project have the potential to cause effects? If yes, describe the nature and extent of the effects.	☐	☒
Is the project area undisturbed? If not, provide information on the prior disturbance (including type and depth of disturbance, if available) The project area was farmland and disturbed regularly for the production of grass seed. Evidence of ground disturbance was reported by AINW (2026, Attachment B).	☐	☒
Will the project impact tribal land or land of interest to tribes? If yes, describe the nature and extent of the effects and provide information on the tribe affected. Consultation with their THPO or a tribal representative along with the SHPO may be required. The project would not impact tribal land. If human remains are uncovered due to excavations, all work will be stopped immediately, the project area would be secured and protected with a 300-foot buffer, remains would be covered, and the proper entities would be notified, in accordance with the IDP (Attachment C). Work would not resume in the buffered area until a plan was developed and carried out between SHPO, state police, the Legislative Commission on Indian Services (LCIS) and the appropriate Native American tribes.	☐	☒

The FAA consulted with SHPO (Case No. 26-0320) and the Tribes regarding the project. No comments were received during the 30-day comment period.		

5-2.b(2) Department of Transportation Act Section 4(f) and 6(f) resources

	YES	NO
Are there any properties protected under Section 4(f) (as defined by FAA Order 1050.1) in or near the project area? This includes publicly owned parks, recreation areas, and wildlife or waterfowl refuges of national, state or local significance or land from a historic site of national, state or local significance. There are no Section 4(f) properties in or near the project footprint or the Port of Portland's property boundary.	☐	☒
Will project construction or operation physically or constructively "use" any Section 4(f) resource? If yes, describe the nature and extent of the use/impacts, and why there are no prudent and feasible alternatives. See 5050.4B Desk Reference Chapter 7.	☐	☒
Will the project affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds? If so, please explain, if there will be impacts to those properties.	☐	☒

5-2.b(3) Threatened or Endangered Species

	YES	NO
Are there any federal or state listed endangered, threatened, or candidate species or designated critical habitat in or near the project area? This includes species protected by individual statute, such as the Bald Eagle. The USFWS IPaC database (USFWS 2024) was reviewed to determine endangered, threatened, or candidate species within the project area (see Attachment D, USFWS IPaC Resource List). Critical habitat for the following species has been designated but does not overlap with the project area, and no suitable habitat exists in the project area: Marbled Murrelet (*Brachyramphus marmoratus*), Northern Spotted Owl (*Strix occidentalis caurina*), Streaked Horned Lark (*Eremophila alpestris strigata*), Fender's Blue Butterfly (*Icaricia icarioides fenderi*), Kincaid's Lupine (*Lupinus sulphureus* ssp. *Kincaidii*), and Willamette Daisy (*Erigeron decumbens*). One species was listed where critical habitat has been proposed but does not overlap with the project area: Monarch Butterfly (*Danaus plexippus*); and one species was listed where no critical habitat has been designated: Northwestern Pond Turtle (*Actinemys marmorata*). No known presence, nesting areas, or critical habitat for these protected species are	☐	☒

located within the project area (Attachment D). Dawson Creek, located approximately 1,500 feet east of the project area, is not designated Critical Habitat and there are no protected salmon species present. The nearest waterway with ESA listed fish is the Tualatin River located 3.5 miles to the south of the airport. Salmon species known to occur in the Tualatin River include Steelhead (*Oncorhynchus mykiss*) [Upper Willamette River DPS]. NOAA 2025.		
Does the project affect or have the potential to affect, directly or indirectly, any federal or state-listed, threatened, endangered or candidate species, or designated habitat under the Endangered Species Act? If yes, Section 7 consultation between the FAA and the US Fish & Wildlife Service, National Marine Fisheries Service, and the appropriate state agency will be necessary. Provide a description of the impacts and how impacts will be avoided, minimized, or mitigated. Provide the Biological Assessment and Biological Opinion, if required. Section 7 consultation between the FAA and NMFS (WCRO-2024-02704) was initiated in April 2024. The batched Biological Assessment (Batch #2) covered 12 projects including five at HIO and seven at PDX. NMFS issued a Biological Opinion for Batch #2 in April of 2025 (Attachment E) with a no-jeopardy conclusion. The Incidental Take Statement within the Biological Opinion requires that Reasonable and Prudent Measures are taken including Terms and Conditions meant to minimize incidental take. All stormwater flowing from the project area would be treated before entering surrounding surface waters and would not alter floodplain elevations or flood storage within the project area. The nearest waterway with ESA listed fish is the Tualatin River located 3.5 miles to the south of the airport (NOAA 2025). The project will result in 6.54 acres of new PGIS. Water quality treatment will be provided for new PGIS, through vegetated filter strips and underground detention systems, subject to applicable regulations. The treated runoff will then flow overland, or via catch basin, to Dawson Creek.	☒	☐
Does the project have the potential to take birds protected by the Migratory Bird Treaty Act? Describe steps to avoid, minimize, or mitigate impacts (such as timing windows determined in consultation with the US Fish & Wildlife Service). No. The proposed hanger project will occur adjacent to existing airport infrastructure and is not expected to result in the potential take of birds protected by the MBTA. The Port's Wildlife Hazard Management program actively discourages nesting on and around the aircraft movement areas as outlined in the FAA Approved Wildlife Hazard Management Plan (HIO WHMP, Port of Portland 2015). Nests found on the airfield are removed following the conditions in the Port's Airport Depredation permit. All takes are reported to the US Fish & Wildlife Service in the annual permit report. Impacts to some nesting birds are avoided when appropriate based on the risk to aircraft safety. Appropriate timing of construction and site clearance by a qualified biologist will help to avoid and minimize impacts to migratory birds.	☐	☒

5-2.b (4) Other Resources
Items to consider include:

a. Fish and Wildlife Coordination Act	**YES**	**NO**
Does the project area contain resources protected by the Fish and Wildlife Coordination Act? If yes, describe any impacts and steps taken to avoid, minimize or mitigate impacts.	☐	☒
b. Wetlands and Other Waters of the U.S.	**YES**	**NO**
Are there any wetlands or other waters of the U.S. in or near the project area? A wetland delineation conducted in April 2022 identified one roadside ditch that was found non-jurisdictional as per the Oregon Department of State Lands (DSL) concurrence letter WD # 2022-0508 and USACE AJD dated January 4, 2024 (see Attachment F, Agency Correspondence for Wetlands). Vegetated corridor (VC) is regulated by local jurisdiction Clean Water Services (CWS). CWS requirements for site development include enhancing remaining VCs on the development site to meet CWS standards for "good" VC condition whether they are impacted or not. All the VC in this project area have already been enhanced offsite and this project will not trigger additional enhancement.	☐	☒
Has wetland delineation been completed within the proposed project area? If yes, please provide U.S. Army Corps of Engineers (USACE) correspondence and jurisdictional determination. If delineation was not completed, was a field check done to confirm the presence/absence of wetlands or other waters of the U.S.? If no to both, please explain what methods were used to determine the presence/absence of wetlands. Yes, a wetland delineation was completed in April 2022. No wetlands or waters were identified in the project area. The USACE issued an AJD dated January 4, 2024 (see Attachment F, Agency Correspondence for Wetlands).	☒	☐
If wetlands are present, will the project result in impacts, directly or indirectly (including tree clearing)? Describe any steps taken to avoid, minimize or mitigate the impact. No wetlands or trees are present on the project site.	☐	☒
Is a USACE Clean Water Act Section 404 permit required? If yes, does the project fall within the parameters of a general permit? If so, which general permit? No wetlands will be impacted by the project.	☐	☒

c. Floodplains	YES	NO
Will the project be located in, encroach upon or otherwise impact a floodplain? If yes, describe impacts and any agency coordination or public review completed including coordination with the local floodplain administrator. Attach the FEMA map if applicable and any documentation. No impacts to floodplains will result from this project. The project is located within FEMA FIRM map 41067C0337F in Flood Zone X (FEMA 2024), which is considered an "area of minimal flood hazard" (see Attachment G, FEMA FIRM Panel).	☐	☒

d. Coastal Resources	YES	NO
Will the project occur in or impact a coastal zone as defined by the State's Coastal Zone Management Plan? If yes, discuss the project's consistency with the State's CZMP. Attach the consistency determination if applicable. The proposed project is not located in a designated coastal zone. The Oregon Coastal Management Program identifies the nearest Coastal Zone Management Area as approximately 20 miles west of the airport (Oregon Coastal Management Program, 2025).	☐	☒
Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service? The proposed project is not located near, nor will it impact, coastal barriers (USFWS 2025).	☐	☒
e. National Marine Sanctuaries	**YES**	**NO**
Is a National Marine Sanctuary located in the project area? If yes, discuss the potential for the project to impact that resource. There are no National Marine Sanctuaries located near the project site. The nearest sanctuary, the Olympic Coast National Marine Sanctuary, is located approximately 130 miles northwest of the project site (NOAA 2025).	☐	☒
f. Wilderness Areas	**YES**	**NO**
Is a Wilderness Area located in the project area? If yes, discuss the potential for the project to impact that resource. The proposed project is not located in or near a designated wilderness area. The nearest Wilderness Area is the Mark O. Hatfield Wilderness Area, which is approximately 40 miles east of the project area (Wilderness Connect 2025).	☐	☒

g. Farmland	YES	NO
Is there prime, unique, state or locally important farmland in/near the project area? Describe any significant impacts from the project. The United States Department of Agricultural Natural Resources Conservation Service Web Soil Survey (NRCS 2024) identifies the presence of four different types of soil in the project area: Amity Silt Loam (prime farmland if drained), Dayton silt loam (farmland of statewide importance), Urban Land, and Woodburn silt loam, 0 to 3 percent slopes (all areas are prime farmland). See Attachment H, NRCS Farmland and Soils Maps. This project will convert prime farmland and expand airport infrastructure. However, according to the 2020 Census Urban Area Map, the project area falls within a designated Urban Area which is exempt from the Farmland Protection Policy Act (FPPA). See Attachment H, 2020 Census UA Map.	☒	☐
Does the project include the acquisition and conversion of farmland? If farmland will be converted, describe coordination with the US Natural Resources Conservation and attach the completed Form AD-1006. This project will convert prime farmland and expand airport infrastructure. However, as per the 2020 census data, the project area falls within a designated Urban Area (UA) which is exempt from the Farmland Protection Policy Act (FPPA). Lands identified as UA on Census Bureau maps are not subject to FPPA and the completion of the AD-1006 form is not required. See Attachment H.	☒	☐
h. Energy Supply and Natural Resources	**YES**	**NO**
Will the project change energy requirements or use consumable natural resources either during construction or operations? The project would temporarily change energy requirements and use consumable natural resources during construction. Energy and natural resources temporarily used during construction include water, fuel, electricity, concrete, asphalt, steel, and wood products. Water used for dust suppression during construction would either be trucked in or obtained from an on-site source. Fuel for construction equipment would be obtained from off-site sources. Once constructed the new facility would include aircraft hangers with office space, aircraft ramp, above-ground fueling facilities, ground service equipment support, stormwater treatment, and personal vehicle facilities.	☒	☐
Will the project change aircraft/vehicle traffic patterns that could alter fuel usage either during construction or operations? Vehicle traffic may temporarily increase at the airport during construction and personal vehicle parking is planned for the facility. These traffic disruptions are not expected to cause noticeable change in fuel consumption. Since the project relocates existing services at HIO, fuel usage is not expected to change	☒	☐

post-construction. Once the new facility is complete, vehicle traffic patterns will shift slightly at NE Brookwood Parkway and NW Airport Road as staff and clientelle access the facility during non-peak hours. Taxway F is already in use for existing, nearby hangars. Aircraft patterns will remain the same other than using Taxiway F to access the new hangars.		
i. Wild and Scenic Rivers	**YES**	**NO**
Is there a river on the Nationwide Rivers Inventory, a designated river in the National System, or river under State jurisdiction (including study or eligible segments) near the project? No wild or scenic rivers exist in or near HIO. The nearest designated Wild and Scenic Rivers include a segment of the Sandy River located approximately 28 miles east of the project area and would not be impacted by the proposed project (National Wild and Scenic Rivers System 2025). The closest river on the Nationwide Rivers Inventory is the Tualatin River located approximately 3.5 miles to the south (NPS 2025).	☐	☒
Will the project directly or indirectly affect the river or an area within ¼ mile of its ordinary high water mark? No rivers are located within ¼ mile of the project area. (Tualatin River located approximately 3.5 miles to the south of the project area and the Willamette River is located approximately 12 miles northeast of the project area).	☐	☒
j. Solid Waste Management	**YES**	**NO**
Does the project (either the construction activity or the completed, operational facility) have the potential to generate significant levels of solid waste? If so, discuss how these will be managed. The Port has a 90% or greater landfill waste diversion goal at all Port facilities. Solid waste produced during demolition and construction will be minimized, reused, and recycled according to the Port's Port-Wide Waste Management and Minimization Procedures (revised 2014). A significant portion of the waste from this project is expected to be pavement material which is easily recycled in the region. Hillsboro Landfill is located approximately 3.5 miles southwest of Airport property and has capacity for items that are not able to be recycled from this project.	☐	☒

5-2.b(5) Disruption of an Established Community

	YES	NO
Will the project disrupt a community, planned development or be inconsistent with plans or goals of the community? The proposed project is located entirely within Airport boundaries and is consistent with the 2020 HIO Master Plan Update. The project would not disrupt a community, planned development, or be inconsistent with area land use plans.	☐	☒

Are residents or businesses being relocated as part of the project?	☐	☒

5-2.b(6) Surface Transportation

	YES	NO
Will the project cause a significant increase in surface traffic congestion or cause a degradation of level of service provided? No. The total amount of traffic generated by the project will be minimal and will occur primarily during non-peak periods. Since the project relocates existing services at HIO, there will be no change in the number of trips generated. No degradation of level of service at the airport is anticipated during construction.	☐	☒
Will the project require a permanent road relocation or closure? If yes, describe the nature and extent of the relocation or closure and indicate if coordination with the agency responsible for the road and emergency services has occurred. The proposed project would not require a permanent road relocation or closure.	☐	☒

5-2.b(7) Noise

	YES	NO
Will the project result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix? This project would not increase aircraft operations, nighttime operations, or change the aircraft fleet mix at the airport.	☐	☒
Will the project cause a change in airfield configuration, runway use, or flight patterns either during construction or after the project is implemented? No. There will be no change to airfield configuration, runway use, or flight patterns during or after construction of the facilities.	☐	☒
Does the forecast exceed 90,000 annual propeller operations, 700 annual jet operations or 10 daily helicopter operations or a combination of the above? If yes, a noise analysis may be required if the project would result in a change in operations. There were over 150,000 total flight operations at HIO in 2022. Since this project relocates existing air services at HIO, the project would not result in a change in the number of or type of operations. Therefore, a noise analysis is not required.	☒	☐
Has a noise analysis been conducted, including but not limited to generated noise contours, a specific point analysis, area equivalent method analysis, or other screening method. If yes, provide that documentation. No noise analysis has been prepared for this proposed action because no change to aircraft fleet mix, number of operations, or flight paths are proposed.	☐	☒

Could the project have a significant impact (DNL 1.5 dB or greater increase) on noise levels over noise sensitive areas within the 65+ DNL noise contour? The proposed project would not affect aircraft noise exposure. Temporary construction related noise impacts may occur within airport boundaries. Operational noise would not change because of this project.	☐	☒

5-2.b(8) Air Quality

	YES	NO
Is the project located in a Clean Air Act non-attainment or maintenance area? Currently, HIO is located in an airshed that meets all the NAAQS air quality standards and is in attainment. (United States EPA, Nonattainment Area Exposure Report, 2023).	☐	☒
If yes, is it listed as exempt, presumed to conform or will emissions (including construction emissions) from the project be below *de minimis* levels (provide the paragraph citation for the exemption or presumed to conform list below, if applicable) Is the project accounted for in the State Implementation Plan or specifically exempted? Attach documentation. The Oregon Department of Environmental Quality (DEQ), after consultation with EPA Region 10, informed the Port of Portland that conformity does not apply (Oregon DEQ, 2017 email to Port).	☐	☒
Does the project have the potential to increase landside or airside capacity, including an increase of surface vehicles? The landside and airside vehicles during construction and operation has been assessed and it's not anticipated that the proposed project would create temporary or permanent emissions that would violate local, State, Tribal, or Federal air quality standards. Additionally, the State of Oregon's indirect source rules are intended to prevent vehicular traffic from causing exceedances of the NAAQS by limiting parking spaces. The project includes a new surface parking lot which triggers a review of such activities. The Port of Portland will undergo a review to determine applicability to the Indirect Source Review and obtain a permit if needed.	☐	☒
Could the project impact air quality or violate local, State, Tribal or Federal air quality standards under the Clean Air Act Amendments of 1990 either during construction or operations? The proposed development is not expected to create temporary or permanent emissions that would violate local, State, Tribal, or Federal air quality standards. Construction of the proposed project would result in temporary emissions increases associated with construction equipment and vehicles. Under General Conformity, if total net emissions of the proposed airport action or alternative analyzed are below de minimis thresholds, no further air quality assessment is needed. While the Portland/Vancouver airshed is in attainment with the NAAQS and General Conformity does not apply, the significance criteria stablished under the General Conformity	☐	☒

regulations of 100 tons per year (tons/year) for criteria pollutants/precursors serves as a comparative standard to evaluate the level of significance under NEPA. The FAA's Aviation Emissions and Air Quality Handbook (2024) provides guidance for assessing the environmental impact of NAAQS in relation to Federal actions at airports. According to this guidance, the FAA has identified key project parameters (screening criteria) that can serve as proxies for estimating emissions. If a project falls below these screening thresholds, the FAA may conclude that, for NEPA purposes, the action is not expected to cause a significant air quality impact, as it is unlikely to result in pollutant concentrations exceeding a NAAQS. This project was evaluated using those screening criteria, which were not exceeded; therefore, a more detailed emissions inventory was not required to demonstrate that the project's air quality impact is de minimis. Therefore, it can be concluded that for NEPA purposes, the project will not cause a significant air quality impact since it is unlikely the pollutant concentrations would exceed the NAAQS.		

5-2.b (9) Water Quality

	YES	NO
Are there water resources within or near the project area? These include groundwater, surface water (lakes, rivers, etc.), sole source aquifers and public water supply. If yes, provide a description of the resource, including the location (distance from project site, etc.). No surface waters, sole source aquifers, or public water supplies are located within the project area. The nearest surface water is Dawson Creek, approximately 1,500 feet east of the grading limits. The flow from Dawson Creek ultimately drains to the Tualatin River located 3.5 miles south of the project site.	☐	☒
Will the project impact any of the identified water resources either during construction or operations? Describe any steps that will be taken to protect water resources during and after construction. HIO's Stormwater Pollution Control Plan, part of its 1200-Z General NPDES Permit, was completed in August 2021 and updated in December 2021 (Port of Portland 2021). For erosion and sediment control, the project will implement the 1200-C Permit requirements and any applicable local agency rules and regulations related to construction activity. An Erosion and Sediment Control Plan will be implemented in accordance with the NPDES 1200-C stormwater discharge permit to prevent the release of pollutants during construction. BMPs, such as silt fencing and catch basin protection are incorporated into the current construction plans to address site-specific requirements for environmental protection. The project is required to meet the Clean Water Services Design and Construction Standards (CWS 2019) for post construction stormwater management of developed and redeveloped impervious surfaces. Post-construction water quality treatment and hydromodification mitigation will be provided for new impervious surface, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated	☐	☒

runoff will then flow overland, or via stormwater conveyance system, to Dawson Creek.		
Will the project increase the amount or rate of stormwater runoff either during construction or operations? Describe any steps that will be taken to ensure it will not impact water quality. In total the HIO Sky Harbour Development project will construct 11.09 acres of new impervious surface of which 6.54 acres are pollution generating (PGIS) and 4.55 acres are non-pollution generating buildings. There will be 0.24 acres of impervious surface removal for a net increase of 6.30 acres of PGIS. Stormwater BMPs will be in place during construction to ensure runoff from the construction site does not pollute wetlands or streams near the project area. Post-construction water quality treatment will be provided for new PGIS, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated runoff will then flow via catch basin, to Dawson Creek.	☒	☐
Does the project have the potential to violate federal, state, tribal or local water quality standards established under the Clean Water and Safe Drinking Water Acts? The project will comply with water quality guidelines which dictate design standards, erosion control practices, BMPs, and stormwater management requirements set forth by the Clean Water Services Design and Construction Standards (2019) to prevent violation of water quality standards under the Clean Water and Safe Drinking Water Acts.	☐	☒
Are any water quality related permits required? If yes, list the appropriate permits. The project would be required to follow the National Pollutant Discharge Elimination System (NPDES) 1200-C permit for construction. Compliance with local stormwater regulations is also required for post-construction stormwater runoff treatment. A City of Hillsboro Grading and Erosion Control permit and a Clean Water Services Service Provider Letter are also required.	☒	☐

5-2.b(10) Highly Controversial on Environmental Grounds

	YES	NO
Is the project highly controversial? The term "highly controversial" means a substantial dispute exists as to the size, nature, or effect of a proposed federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project's risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement exists regarding the effects of a proposed action. The proposed project is not expected to be controversial. The project is located within the Corporate General Aviation Reserve. The project was discussed at HIO Tenant	☐	☒

Meetings.		

5-2.b(11) Inconsistent with Federal, State, Tribal or Local Law

	YES	NO
Will the project be inconsistent with plans, goals, policy, zoning, or local controls that have been adopted for the area in which the airport is located? The proposed project is consistent with the 2020 HIO Master Plan Update, Hillsboro's Comprehensive Plan Amended (2024) and local land use and zoning requirements (City of Hillsboro 2024).	☐	☒
Is the project incompatible with surrounding land uses? The project is consistent with surrounding land use and will not require a change in land use.	☐	☒

5-2 .b (12) Light Emissions, Visual Effects, and Hazardous Materials

a. Light Emissions and Visual Effects	YES	NO
Will the proposed project produce light emission impacts? Some work for this project may be completed at night which would require temporary lighting for construction workers. The new hanger facility will require electrical and lighting, both indoors and outside. All new and temporary lighting is within the airport fence and will not produce significant additional light emission impacts to the surrounding community. Development standards for HIO require that outdoor lighting be shielded from adjoining properties.	☐	☒
Will there be visual or aesthetic impacts as a result of the proposed project or have there been concerns expressed about visual/aesthetic impacts? The proposed project includes a new hanger with office space, aircraft ramp, fueling facilities, ground services equipment support, stormwater treatment, and personal vehicle facilities. The structure will be adjacent to NE Brookwood Parkway and is consistent with existing airport infrastructure.	☐	☒

b. Hazardous Materials	YES	NO
Does the project involve or affect hazardous materials? The proposed project includes installation of a new above ground fuel farm. Installation and operation of the fueling facilty will comply with State and local regulations which are governed by the Oregon Fire Code, the Oregon DEQ, and the City of Hillsboro. If hazardous materials are inadvertently encountered during construction, the Port would cease construction immediately and appropriately manage the hazardous	☒	☐

materials.		
Will construction take place in an area that contains or previously contained hazardous materials? There will be no construction in areas known to contain hazardous materials. If hazardous materials are encountered during construction, the Port would cease construction immediately and remove the hazardous materials.	☐	☒
If the project involves land acquisition, is there a potential for this land to contain hazardous materials or contaminants? The proposed project does not involve land acquisition.	☐	☒
Will the proposed project produce hazardous or solid waste either during construction or after? If yes, how will the additional waste be handled? No known hazardous materials will be removed as part of this construction project. If unknown hazardous materials are encountered during demolition, the Port would cease construction immediately and oversee the removal the hazardous materials by a qualified contractor. Non-hazardous waste would be generated from demolition and site construction activities; this waste would be transported off-site for disposal or recycling. Solid waste that is generated during the project would be managed for off-site recycling and disposal.	☐	☒

5-2 .b (13) Public Involvement

	YES	NO
Was there any public notification or involvement? If yes, provide documentation. Corporate Aviation use of this area, and in particular hangar development, is included in the ALP and discussed in the 2020 Airport Master Plan for Portland-Hillsboro Airport. The plan and ALP drawings are available to the public on the Port of Portland website (Port of Portland 2020). In addition, this project was discussed during HIO Tenant Meetings.	☒	☐

Permits

List any permits required for the proposed project which have not been previously discussed. Provide details on the status of permits.

- 1200-CA NPDES Permit
- CWS Service Provider Letter (SPL)
- City of Hillboro Grading and Erosion Control Permit

Environmental Commitments

List all measures and commitments made to avoid, minimize, mitigate, and compensate for impacts on the environment, which are needed for this project to qualify for a CATEX.

- NMFS Biological Opinion WCRO-2024-02704
- Inadvertent Discovery Plan
- HIO Stormwater Pollution Control Plan, updated December 2021
- Stormwater Commitment Letter to City of Hillsboro and Clean Water Services, Oct 2022
- Spill Prevention, Control, and Countermeasure Plan HIO 2020
- Spill Response Procedures HIO 2020
- Erosion and Sediment Control Plan
- Waste Minimization procedure (revised 2014)
- HIO Stormwater Master Plan (2023)

References

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Port of Portland. 2015. Hillsboro Airport Wildlife Hazard Management Plan. (https://cdn.portofportland.com/pdfs/Env_WildfireHzdMgtPrgm_HIO.pdf).

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U.S. Fish and Wildlife Service (USFWS). 2025. Coastal Barrier Resource System Mapper. https://www.fws.gov/cbra/Maps/Mapper.html

U.S. Fish and Wildlife Service (USFWS). 2024. IPaC Information for Planning and Consultation. https://ecos.fws.gov/ipac/

Wilderness Connect. 2025. Interactive Map. https://www.wilderness.net/NWPS/maps

Preparer Information

Point of Contact: Michelle Hollis		
Address: 7200 NE Airport Way		
City: Portland	**State:** Oregon	**Zip Code:** 97218
Phone: 503-415-6832	**Email Address:** michelle.hollis@portofportland.com	

Signature: Signed by: Michelle Hollis 1F3A925AE93344D... **Date:** 3/2/2026

Airport Sponsor Information and Certification (may not be delegated to consultant)

Provide contact information for the designated sponsor point of contact and any other individuals requiring notification of the FAA decision.

Point of Contact: Kristina Kelchner		
Address: 7200 NE Airport Way		
City: Portland	**State:** Oregon	**Zip Code:** 97218
Phone: 503-415-6043	**Email Address:** kristina.kelchner@portofportland.com	
Additional Name(s):	**Additional Email Address(es):**	

I certify that the information I have provided above is, to the best of my knowledge, correct. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval) has occurred.

Signature: Signed by: kristina kelchner A1C8620F44C0444... **Date:** 3/2/2026

FAA Decision

Having reviewed the above information, it is the FAA's decision that the proposed project (s) or development warrants environmental processing as indicated below.

Name of Airport, LOC ID, and location:

Hillsboro Airport (HIO)
3355 NE Cornell Road
Hillsboro, Oregon 97124

Project Title:

HIO Sky Harbour Jet Hangars

☑No further NEPA review required. Project is categorically excluded per (cite applicable FAA Order 1050.1 (current version) and CATEX that applies).

FAA Order 1050.1G, Appendix B, B-2.4.f.u.

☐An Environmental Assessment (EA) is required.

☐An Environmental Impact Statement (EIS) is required.

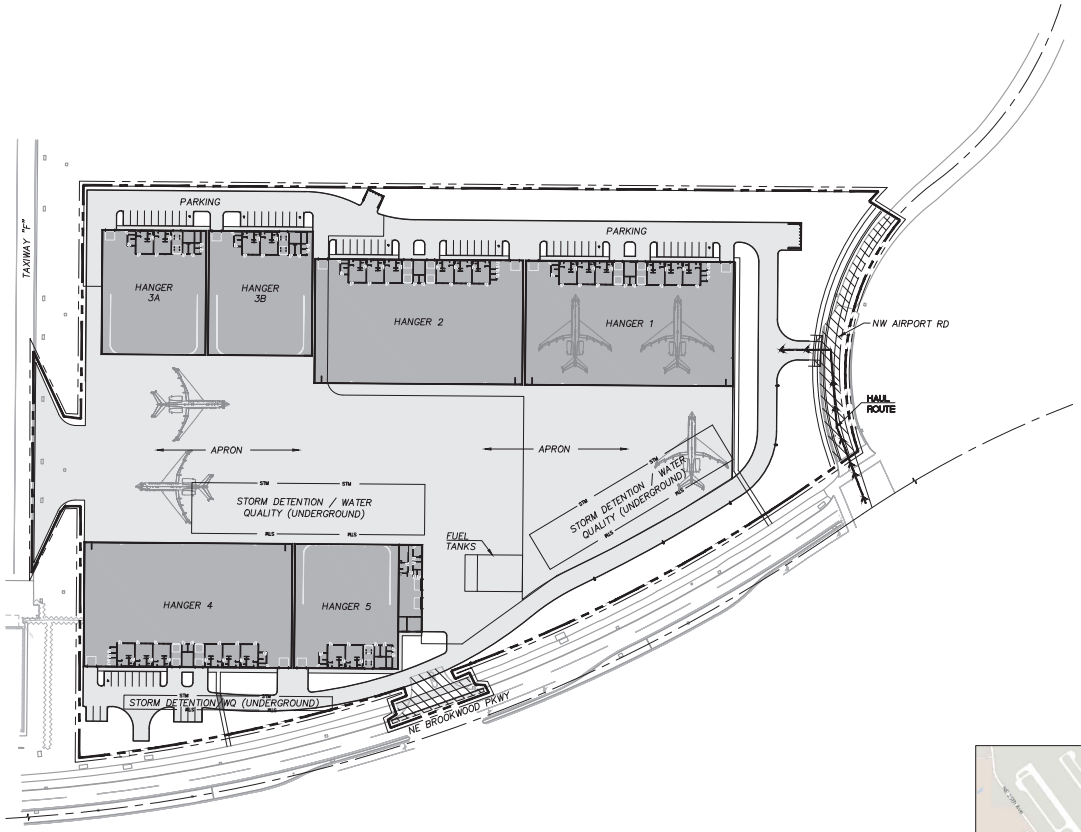
☐The following additional documentation is necessary for FAA to perform a complete environmental evaluation of the proposed project.

Name: Laura Sample **Title:** Environmental Protection Specialist

Responsible FAA Official

Signature: Laura Sample **Date:** 3/6/2026

ATTACHMENT A:
FIGURE



LEGEND:

- STORMWATER DETENTION (IN GROUND)
- GRADING BOUNDARY
- LIMITS OF CONSTRUCTION
- NEW IMPERVIOUS SURFACE (BUILDING)
- NEW IMPERVIOUS SURFACE (PAVEMENT)
- IMPERVIOUS SURFACE REMOVAL
- HAUL ROUTE

LEGEND:
IMPERVIOUS SURFACE REMOVAL = 0.24 AC
NEW POLLUTION GENERATING IMPERVIOUS SURFACE (PGIS, PAVEMENT) = 6.54 AC
NEW IMPERVIOUS SURFACE (ROOF) = 4.55 AC
NET IMPERVIOUS SURFACE = 11.09 AC
NET PGIS = 6.30 AC

NEPA INFORMATION
1. DEEPEST EXCAVATION = 12 FT
2. TOTAL PAVING AREA = 11.09 (483,080 SF)
3. TOTAL GRADING AREA = 13.52 AC
4. TOTAL LIMITS OF CONSTRUCTION = 13.52 AC

KEY MAP
SCALE: NTS

N

GRAPHIC SCALE
0 80 160
1 inch = 80 ft.

Humber Design Group, Inc.
civil Engineering
503.946.6690
hdgpdx.com

SKY HARBOR HILLSBORO (HIO)

NEPA EXHIBIT

REV.	DATE	DESCRIPTION	BY

PROJECT NO.: SHL001
DRAWN BY: NEG
DESIGN BY: NEG
REVIEWED BY: DJH
DATE: 10/08/2025

SHEET NO.
NEPA EX-1

P:\SHL001 - Sky Harbour - Hillsboro\7 - CAD Drawings\B - Exhibits\NEPA\NEPA Exhibit.dwg Oct 08, 2025 - 4:13pm

ATTACHMENT B:
NHPA SECTION 106 DOCUMENTATION (TBD)

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

February 23, 2026

Clayton Knudson
Federal Aviation Administration
26805 E. 68th Ave., Suite 224
Denver, CO 80249

RE: SHPO Case No. 26-0320
FAA, HIO Sky Harbour Development Project
develop 5 hangars on HIO property
3355 NE Cornell Rd, Hillsboro, Washington County

Dear Clayton Knudson:

Thank you for submitting information for the undertaking referenced above. 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 Statutes (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.

Our office has assigned the report SHPO biblio number 36516. Details will be available in the bibliographic database.

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

Sincerely,

Aspen Kemmerlin
Special Projects Archaeologist

Aspen.Kemmerlin@oprd.oregon.gov

cc: Kristina Kelchner, Port of Portland

Report #

State Historic Preservation Office Report Cover Page

Year: 2026

Title: Cultural Resource Survey for the HIO Sky Harbour Development Project, Hillsboro, Washington County, Oregon

REPORT

Author(s): Kristen Heasley and Erin von Scherrer

Agency/Client: Port of Portland

District/Contractor: Archaeological Investigations Northwest, Inc. (AINW)

Agency/Client Report#: AINW Report No. 5555 Project Acres: 14.2 Survey Acres: 14.2

LOCATION

County(ies): Washington

Township:		Range:		Section(s):	Township:		Range:		Section(s):
1	N	2	W	28					

TESTING

Archaeological Permit Number(s): AP-4308 Accession Number: N/A

Reports submitted to: Tribes: ☑ UOMNCH: ☐ LCIS: ☐ Curation:

Report Addresses Testing: ☐

CONSULTATION

Have tribes been contacted or consulted? Yes

List tribes: Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs Reservati

List any other groups contacted or consulted:

PA/ MOA

Report is associated with: PA ☐ MOA ☐

REPORTS WITHOUT A COMPLETE AND ACCURATE COVER PAGE AND APPROPRIATE ADDITIONAL PAGES MAY BE RETURNED. CHECK THE SHPO WEBSITE TO MAKE SURE YOU HAVE THE MOST CURRENT VERSION.

Report #

State Historic Preservation Office Report Summary of Resources and NRHP Eligibility

RESOURCES

	Archaeological: Site:	Isolate:	Built Environment:	TCP:	HPRCSIT:	Other:
Count:	0	0	0	0	0	0

***Please be sure all archaeological forms have been submitted on-line**

NRHP ELIGIBILITY

EVALUATE PROPERTIES UNDER ALL FOUR CRITERIA.
BE SURE TO INCLUDE JUSTIFICATION IN THE REPORT

Oregon On-Line Form #:	Trinomial: Temp# or Name:	Criterion A:	Criterion B:	Criterion C:	Criterion D:

ATTACHMENT C:
INADVERTENT DISCOVERY PLAN

Archaeological Inadvertent Discovery Plan (IDP)
Sky Harbour Jet Hangars
Hillsboro Oregon
October 2025
SHPO Case Number 26-0320

Project Description

Sky Harbour, a Port tenant, is proposing a development project at HIO on land that is currently undeveloped. Sky Harbour provides facilities for the corporate aviation sector. The proposed development would utilize 13.52 acres of land in the northeast portion of the airport. The development would include aircraft hangars with office space, aircraft ramp, fueling facilities, ground services equipment support, stormwater treatment and hydromodification mitigation, and personal vehicle facilities. The development would connect with two existing intersections on NE Brookwood Parkway for landside access and utilize Taxiway F for its airfield connection by constructing a new taxiway connection. See Area of Potential Effects below.

Sky Harbour Jet Hangars Project - Area of Potential Effects

In total the HIO Sky Harbour Development project will construct 11.09 acres of new impervious surface of which 6.54 acres are pollution generating (PGIS) and 4.55 acres are non-pollution generating buildings. There will be 0.24 acres of impervious surface removal for a net increase of 6.30 acres of PGIS. The deepest excavation is expected to be 12 feet. See attached NEPA EXHIBIT.

This IDP established protocols to report and process inadvertent discoveries of potential human remains, funerary objects, historic properties, and other cultural items during excavations for the proposed project when an archaeological monitor is not present onsite.

Three Tribal governments have been identified as having an interest in the cultural resource work at the proposed development location. The three governments include the:

- Confederated Tribes of the Warm Springs Reservation of Oregon
- Confederated Tribes of the Grand Ronde
- Confederated Tribes of Siletz Indians

Inadvertent Discovery Procedures When an Archaeologist is Not Present

This document serves as the primary guidance tool for the treatment of human remains or suspected archaeological resources discovered during project activities. Archaeological materials include, but are not limited to, historic-period artifacts, precontact artifacts, and features that constitute a resource that is potentially eligible for listing in the National Register of Historic Places (NRHP). This IDP is intended to provide guidance to the Port, and their contractors and subcontractors so they can:

- Comply with any applicable Federal and State Laws and regulations;
- Describe the procedures to be followed to regulatory and review agencies;
- Provide direction and guidance to project personnel for the proper procedures to be followed should an inadvertent discovery occur; and
- Provide current contact information for notification upon discovery (Appendix A).

To ensure compliance with the relevant federal regulations (36 CFR 800.13) and Oregon archaeological and cultural resource laws (ORS 97.740 et seq., 358.905 et seq., 390.235 et seq. and Oregon Administrative Rule [OAR] 736-051-0080 to 0090), the following procedures have been developed to address potential inadvertent discoveries of cultural materials and deposits (including sacred objects, funerary objects, and objects of cultural patrimony as defined in ORS 358.905) and Indian burials and human remains (as defined in ORS 358.905) during ground-disturbing activities at the project location.

The FAA has the lead responsibility for ensuring compliance with applicable federal laws and regulations. The Oregon SHPO has the lead responsibility for ensuring compliance with applicable state laws and regulations.

Human Remains

If Native American ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony are discovered during the proposed work, they will be treated with respect, secured, and protected until such time as the appropriate action had been determined, in accordance with applicable state statutes,

including Oregon Revised Statutes (ORS) 97.740-.994, 358.905-.961, and 146.090 and the *Treatment of Native American Human Remains Discovered Inadvertently or Through Criminal Investigations on Private and Non-Federal Public Lands in Oregon*.

Oregon state law (ORS 97.745[4]) provides specific protocol for the discovery of human remains, funerary objects, sacred objects, and objects of cultural patrimony on non-federal public and private land. If human remains are discovered, all work will halt near the discovery site, and the remains will be protected. All human remains will be assumed to be Native American unless proven otherwise.

During all project operations, if anyone, believes that they have made an inadvertent discovery of human skeletal remains, **all ground disturbing work shall cease immediately,** and the Port contact will promptly notify the lead federal agency (the FAA) and SHPO. The FAA and the Port are required to make all other appropriate notifications, including the Oregon State Police, the appropriate Tribes, and the LCIS, to ensure compliance with 36 CFR 800.13 and ORS 97.745(4). The Oregon State Police will determine whether the County or State medical examiner, or State Physical Anthropologist will be responsible for initial evaluations and will contact the appropriate party.

A 300-foot (92 m) diameter work stoppage area shall be maintained around the discovery to provide for the total security, protection, and integrity of the human skeletal remains. Non-ground-disturbing activities may continue outside of a 300-foot buffer, but ground disturbance will be limited to portions of the project area that occupy a different landform. Any spoils pile(s) or dump trucks that may contain soils, bone and/or artifacts from the vicinity of the remains will be secured and left on site so they can be examined before removal. Cover the remains from view, and protect from weather, water runoff, etc., in a manner that does not come into direct contact with the remains. The remains will not be touched, moved, photographed, or further disturbed. No persons other than the proper law enforcement personnel, professional archaeologists, the appropriate Native American Tribes, agency and Oregon SHPO staff shall be authorized direct access to the discovery location after the area is secured. **Do not resume any work in the buffered area until you are directed by a plan developed by State Police, SHPO, LCIS, and appropriate Native American Tribes.**

All Other Archaeological Resources

If a Port employee or any of their contractors or subcontractors suspects that they have uncovered an archaeological artifact or feature (Appendix B for examples), all work within a 30 ft. (~9 m) radius of the discovery shall cease immediately. Protect the discovery with flagging, safety fencing, or other appropriate barriers, and in the case of inclement weather, protect the find with tarps or other barriers for wind, water, or snow, etc. Collection of any archaeological materials by employees, construction personnel, or others with access to the project is prohibited by state laws.

The Port representative will contact their archaeological consultant to examine the find. If the archaeologist confirms the presence of archaeological materials or deposits, the SHPO will be notified to comply with ORS 358.920. If the archaeological discovery is a potentially significant archaeological resource, work in the 30 ft. radius around the find will continue to be paused temporarily for consultation with the appropriate parties to occur, and possibly further archaeological investigation. The archaeologist will notify the Port if the find represents precontact materials or deposits. The Port is responsible for notifying the lead federal agency, the FAA. The FAA and the Port are required to make the appropriate notifications, including Tribes, the LCIS, and SHPO.

Any spoils pile(s) that may contain soils and/or artifacts from the location of the find will be secured and left on site so they can be examined by the archaeologist. If directed, work can proceed elsewhere at an adequate distance from the potential resource so long as the resource is secure and protected. The next steps in responding to the discovery will be determined in consultation with the FAA, the SHPO, as well as Tribes when the archaeological materials represent precontact use or occupation. Further ground-disturbing activity in the restricted area will not resume without authorization by the FAA and SHPO.

During the consultation and investigation process, no ground-disturbing work that may cause additional disturbance to the discovery may occur. The construction supervisor will enforce appropriate security measures to prevent vehicles, equipment, or unauthorized personnel from disturbing the find and inform all parties that they are not to pick up, touch, or disturb the archaeological resource. If it is necessary for the archaeologist to enter any excavations to better examine a find or possible find and those excavations are deeper than four feet below the surface, the Port's contractor will provide appropriate shoring or implement other measures to ensure compliance with all applicable state and federal safety requirements. The archaeologist will not enter any excavations until these requirements are met. See Appendix C for Procedural Flowchart for Inadvertent Finds.

Confidentiality

The Port shall make their best efforts, in accordance with state law, to ensure that its appropriate personnel and contractors keep the discovery of any found or suspected human remains, other cultural items, and potential historic properties confidential. Information on the locations of archaeological resources is exempt from public disclosure under ORS 192.345(11). The Port and their contractor are prohibited from contacting the media or any third party or otherwise sharing information regarding the discovery with any member of the public. The Port is to be immediately notified of any inquiry from the media or public. Prior to any release, the Port, FAA, SHPO, and the Tribes shall concur on the amount of information, if any, to be released to the public, any third party, and the media and the procedures for such a release, to the extent permitted by law.

Appendix A: Contact Information for Inadvertent Discovery Plan

Contact	Contact Name	Email Address	Phone Number
Port of Portland	Carrie Butler	carrie.butler@portofportland.com	503-928-1611
	Maureen Minister	maureen.minister@portofportland.com	503-705-4746
FAA	Clayton Knudson	Clayton.d.knudson@faa.gov	303-342-1253
SHPO	John Pouley	john.pouley@oregon.gov	503-480-9164
	Jamie French	jamie.french@oprd.oregon.gov	503-979-7580
Oregon State Police	Sgt. Ryan Tague	rtague@osp.oregon.gov	503-576-4393
	General Dispatch		503-731-3020
Washington County Medical Examiner			503-846-3575
Commission on Indian Services (LCIS)	Elissa Bullion	elissa.bullion@oregonlegislature.gov	971-707-1372
	LCIS Office		503-986-1067
Cowlitz Indian Tribe	James Gordon	jgordon@cowlitz.org	360-957-3004
Grand Ronde Tribe	Briece Edwards	thpo@grandronde.org briece.edwards@grandronde.org	503-879-2084
Nez Perce Tribe	Keith “Pat” Baird	keithb@nezperce.org	208-621-3851
Siletz Tribe	Buddy Lane	buddyl@ctsi.nsn.us	541-444-8230
	Peter *Sv-gvs* (Black Bear) Hatch	culturalresources@ctsi.nsn.us	541-444-8319
Umatilla Tribe	Teara Farrow Ferman	tearafarrowferman@ctuir.org	541-276-3447
Warm Springs Tribe	Lawrence Squiemphen	106review@ctwsbnr.org lawrence.squiemphen@ctwsbnr.org	541-553-2026
Archaeological Investigations Northwest, Inc. (Archaeologist)	Kristen Heasley	kristen@ainw.com	971-710-3013

Appendix B: Examples of Archaeological Resources

A cultural resource discovery could be prehistoric or historic and consist of, but not be limited to:

- areas or bands of charcoal or charcoal-stained soil and stones; burned earth that is orange in color;
- stone tools or waste flakes (i.e., an arrowhead, or stone chips);
- buried fire pits or ovens, clusters of fire cracked rock;
- clusters of shell and/or animal bones, especially if associated with burned rocks, fire cracked rock, charcoal and/or stone tools; and
- prepared surfaces that suggest temporary stability, such as a corduroy road, a flat lying layer of brick, a plastered surface, a plank surface;
- old privies; wood pipes or infrastructure older than 50 years;
- buried foundations or intact walls;
- a cluster of cans or bottles, logging, industrial or agricultural equipment older than 50 years.

Collection of any archaeological materials by employees, construction personnel, or others with access to the project is prohibited by state laws.

Stone flakes

Stone tool fragments

Cordage

Shell midden

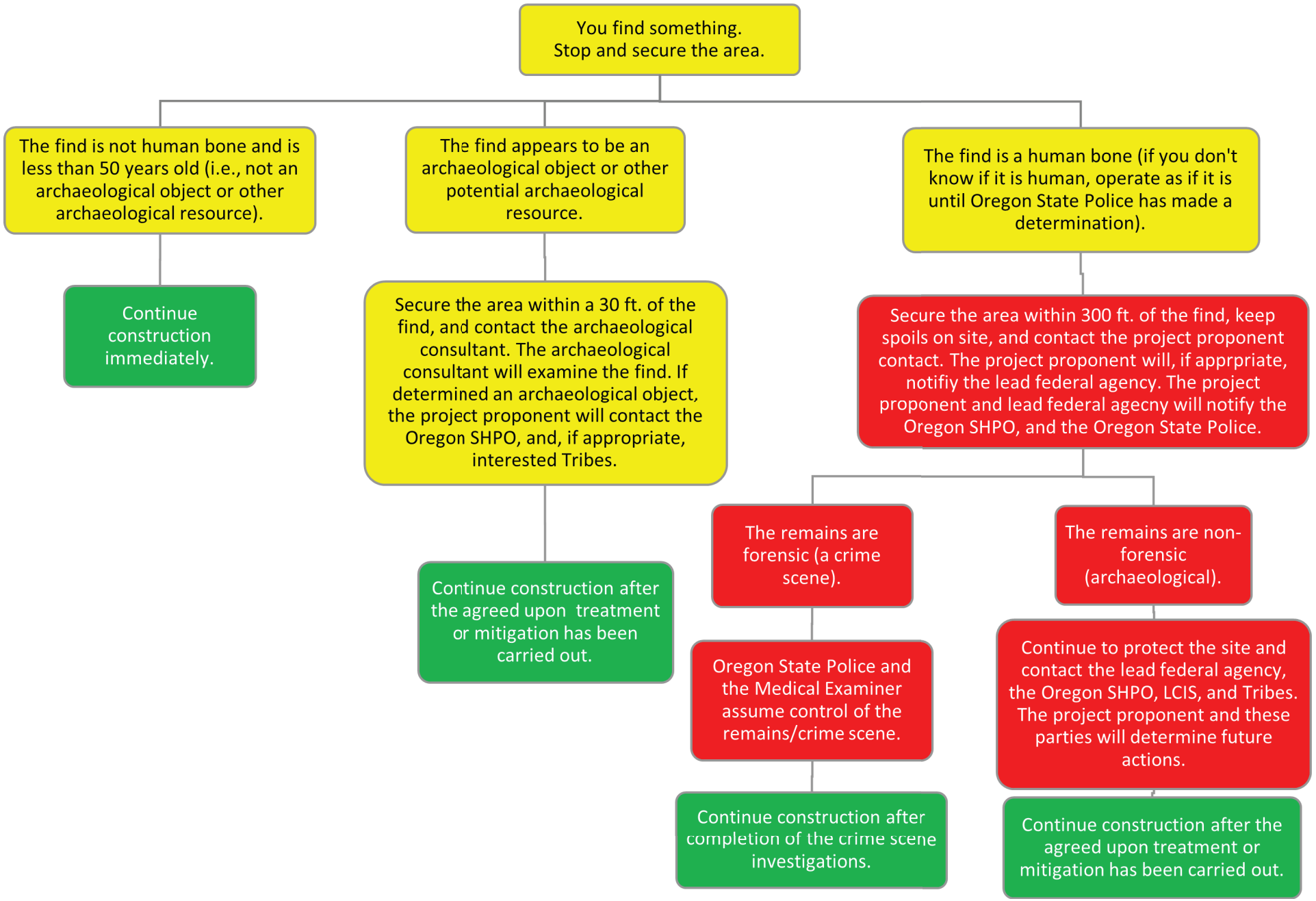
Historic glass artifacts

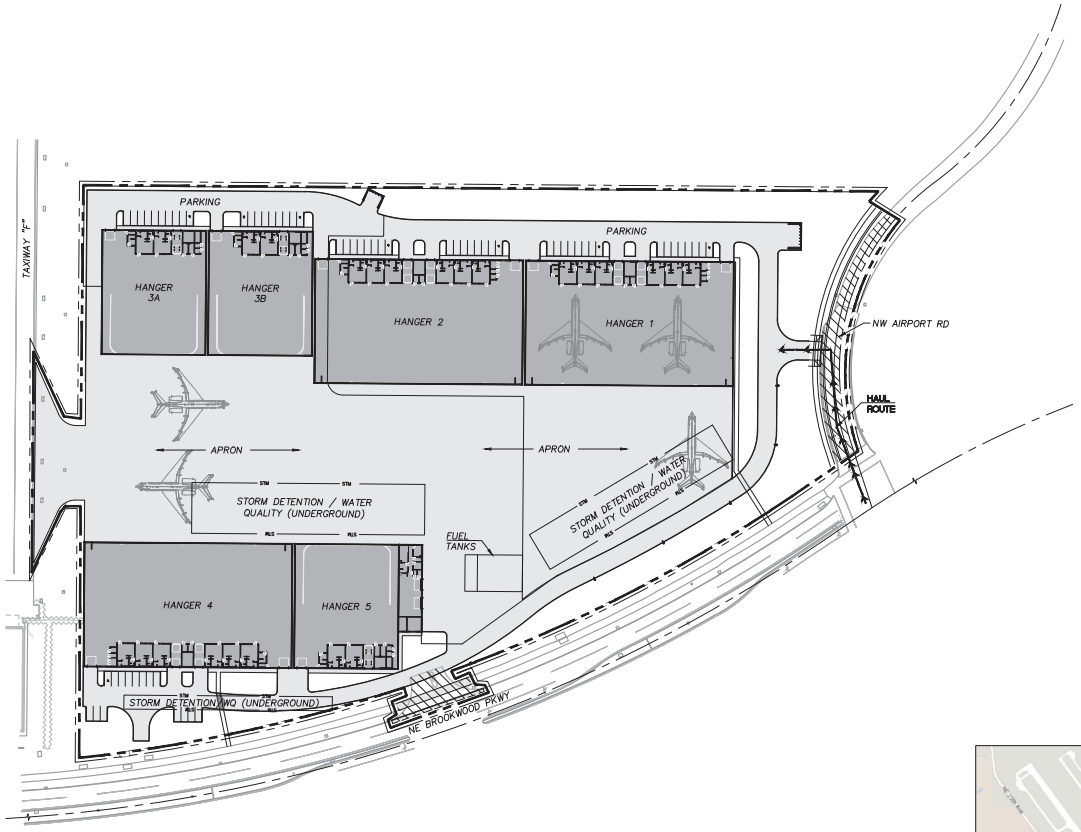
Historic metal artifacts

Historic building foundations

18th Century ship

Appendix C: Procedural Flowchart for Inadvertent Finds





LEGEND:

- STORMWATER DETENTION (IN GROUND)
- GRADING BOUNDARY
- LIMITS OF CONSTRUCTION
- NEW IMPERVIOUS SURFACE (BUILDING)
- NEW IMPERVIOUS SURFACE (PAVEMENT)
- IMPERVIOUS SURFACE REMOVAL
- HAUL ROUTE

LEGEND:
IMPERVIOUS SURFACE REMOVAL = 0.24 AC
NEW POLLUTION GENERATING IMPERVIOUS SURFACE (PGIS, PAVEMENT) = 6.54 AC
NEW IMPERVIOUS SURFACE (ROOF) = 4.55 AC
NET IMPERVIOUS SURFACE = 11.09 AC
NET PGIS = 6.30 AC

NEPA INFORMATION
1. DEEPEST EXCAVATION = 12 FT
2. TOTAL PAVING AREA = 11.09 (483,080 SF)
3. TOTAL GRADING AREA = 13.52 AC
4. TOTAL LIMITS OF CONSTRUCTION = 13.52 AC

KEY MAP
SCALE: NTS

N

GRAPHIC SCALE
0 80 160
1 inch = 80 ft.

Humber Design Group, Inc.
Civil Engineering
503.946.6690
hdgpdx.com

SKY HARBOR HILLSBORO (HIO)

NEPA EXHIBIT

REV.	DATE	DESCRIPTION	BY

PROJECT NO.: SHL001
DRAWN BY: NEG
DESIGN BY: NEG
REVIEWED BY: DJH
DATE: 10/08/2025

SHEET NO.
NEPA EX-1

P:\SHL001 - Sky Harbour - Hillsboro\7 - CAD Drawings\B - Exhibits\NEPA\NEPA Exhibit.dwg Oct 08, 2025 - 4:13pm

ATTACHMENT D:
USFWS IPAC RESOURCE LIST

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Washington County, Oregon

Local office

Oregon Fish And Wildlife Office

(503) 231-6179
(503) 231-6195

2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2])

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. 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.

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
Marbled Murrelet Brachyramphus marmoratus There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4467	Threatened
Northern Spotted Owl Strix occidentalis caurina Wherever found There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1123	Threatened
Streaked Horned Lark Eremophila alpestris strigata Wherever found There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/7268	Threatened

Reptiles

NAME	STATUS
Northwestern Pond Turtle Actinemys marmorata Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Insects

NAME	STATUS
Fender's Blue Butterfly Icaricia icarioides fenderi Wherever found There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6659	Threatened
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this speciesYour location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

Flowering Plants

NAME	STATUS
Kincaid's Lupine Lupinus sulphureus ssp. kincaidii Wherever found There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3747	Threatened
Willamette Daisy Erigeron decumbens Wherever found There is **final** critical habitat for this species.Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6270	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles"

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* 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. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles" specifically the FAQ section titled "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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

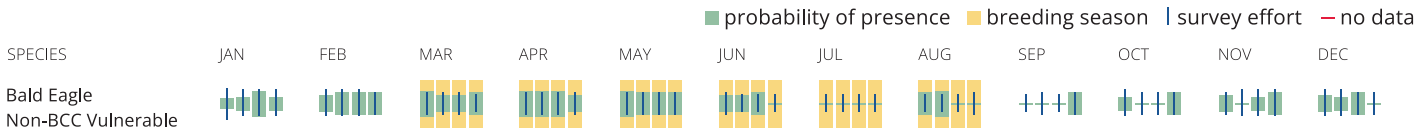
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence 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). To see 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 of bald and golden eagles 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 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. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles"

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/ documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

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, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* 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. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 1 to Aug 31
Black Swift *Cypseloides niger* 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 *Larus californicus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Chestnut-backed Chickadee *Poecile rufescens rufescens* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Jul 31
Evening Grosbeak *Coccothraustes vespertinus* 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 *Tringa flavipes* 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
Olive-sided Flycatcher *Contopus cooperi* 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 *Selasphorus rufus* 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
Western Grebe *aechmophorus occidentalis* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743	Breeds Jun 1 to Aug 31
Western Gull *Larus occidentalis* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 21 to Aug 25

Western Screech-owl *Megascops kennicottii cardonensis* Breeds Mar 1 to Jun 30

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

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 "Supplemental Information on Migratory Birds and Eagles" specifically the FAQ section titled "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.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

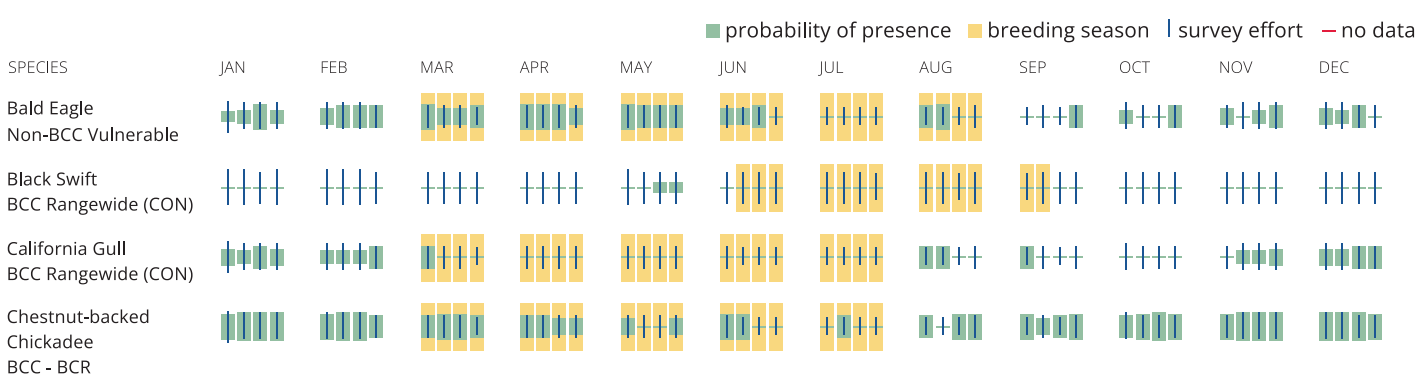
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

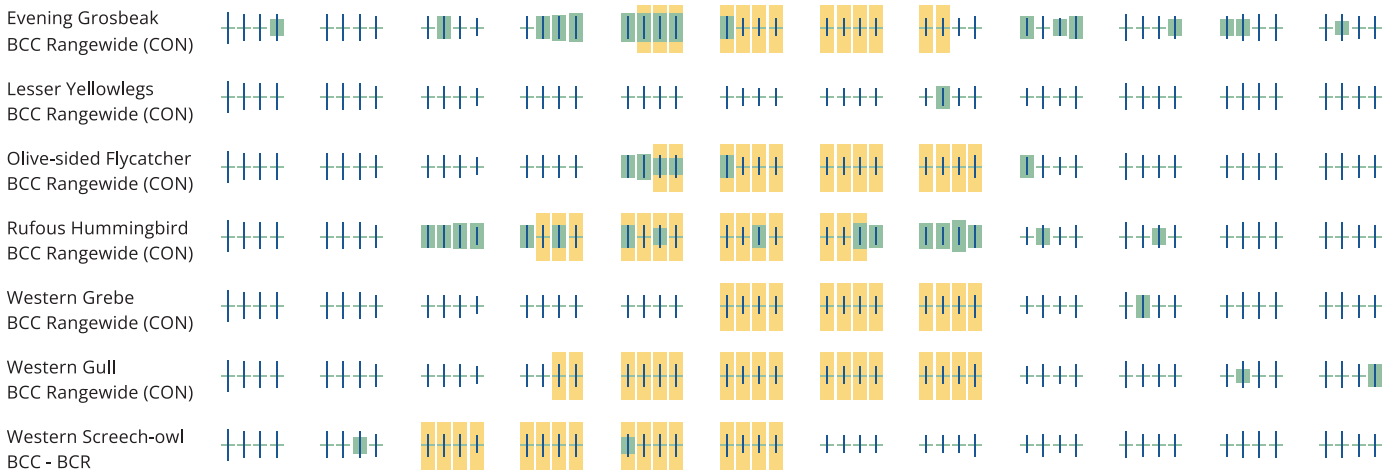
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

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.

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

ATTACHMENT E:
NMFS BIOLOGICAL OPINION AND INCIDENTAL TAKE STATEMENT

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OR 97232-1274

Refer to NMFS No:
WCRO-2024-02704

April 18, 2025

Adam Merrill
Environmental Protection Specialist
U.S. Department of Transportation
Federal Aviation Administration, Northwest Mountain Region
2200 S. 216th Street
Des Moines, Washington 98198

Re: Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Federal Aviation Administration's Port of Portland Airfield and Airport-Related Tennant Projects—Batch #2, Washington and Multnomah Counties, Oregon

Dear Mr. Merrill:

This letter responds to your October 21, 2024, request for initiation of consultation with the National Marine Fisheries Service (NMFS) pursuant to Section 7 of the Endangered Species Act (ESA) for the subject action. Your request qualified for our expedited review and analysis because it met our screening criteria and contained all required information on, and analysis of, your proposed action and its potential effects to listed species and designated critical habitat.

We reviewed the Federal Aviation Administration's (FAA's) consultation request and related initiation package. Where relevant, we have adopted the information and analyses you have provided and/or referenced but only after our independent, science-based evaluation confirmed they meet our regulatory and scientific standards. In our biological opinion below, we indicate what parts of your document(s) we have incorporated by reference and where that information is being incorporated.

We adopt by reference the following sections of the Biological Assessment (BA):

- Section 1.0 Introduction
- Section 2.0 Project Location
- Section 3.0 Project Description
- Section 4.0 Impact Avoidance and Minimization Efforts
- Section 5.0 Action Area
- Section 6.0 Presence of Listed Species and Designated Critical Habitat in the Action Area
- Section 7.0 Environmental Baseline
- Section 8.0 Effects of the Action

Updates to the regulations governing interagency consultation (50 CFR part 402) were effective on May 6, 2024 (89 FR 24268). We are applying the updated regulations to this consultation.

The 2024 regulatory changes, like those from 2019, were intended to improve and clarify the consultation process, and, with one exception from 2024 (offsetting reasonable and prudent measures), were not intended to result in changes to the Services' existing practice in implementing section 7(a)(2) of the ESA (89 FR 24268; 84 FR 45015). We have considered the prior rules and affirm that the substantive analysis and conclusions articulated in this biological opinion and incidental take statement would not have been any different under the 2019 regulations or pre-2019 regulations, except we note that we have included offsetting reasonable and prudent measures in the incidental take statement (an option that was not included in the section 7 regulations prior to 2024).

CONSULTATION HISTORY

The FAA and the Port of Portland (Port) reached out for early coordination with NMFS in November of 2023 to discuss multiple upcoming maintenance projects located at Portland International Airport (PDX), Hillsboro Airport (HIO), and Troutdale Airport (TTD). Because many of the proposed maintenance projects were similar in nature and expected to have similar effects to ESA listed species, NMFS suggested completing the consultation in batches.

Batch #1: The first batch of five projects were evaluated in the Batch 1 Biological Opinion (Opinion) WCRO-2024-00837, issued July 31, 2024. Several pre-consultation meetings were held throughout January and February 2024 to discuss the proposed actions, address questions, and review drafts of the BA. On April 16, 2024, the FAA submitted their formal consultation request with the final BA. NMFS reviewed the BA and determined that the information provide was sufficient to initiate consultation on May 1, 2024. NMFS issued an Opinion for the Batch 1 actions on July 31, 2024. On August 14, 2024, the FAA requested corrections be made to the Incidental Take Statement (ITS) published in the Batch 1 Opinion. As there were no changes that triggered reinitiation of consultation, NMFS issued a revised ITS on December 18, 2024.

Batch #2: On October 21, 2024, the FAA requested ESA section 7 consultation on the second batch of maintenance and tenant actions on the Port properties at PDX and HIO. This Opinion (Batch #2) evaluates the 11 actions detailed in the BA (WSP 2024) received with the October 21, 2024, request for consultation. Also evaluated is a twelfth action submitted in a memo on January 13, 2025 (PoP 2025). Several meetings were held during the fall of 2024 to discuss the proposed actions and information submitted in the BA. A meeting was held on December 18, 2024, to discuss the inclusion of the twelfth action, detailed in the PoP 2025 Memo.

PROPOSED ACTIONS

The FAA proposes to provide funding and authorizations to the Port to complete six airfield maintenance and/or improvement projects, five tenant improvement projects, and one stormwater infrastructure project located on Port-owned properties. Of the proposed actions, five projects are proposed at HIO and seven at PDX. Table 1 summarizes the proposed actions. The proposed projects include one or more of the following project elements that are likely to increase or reconstruct impervious surface area:

- New taxiway construction

- Reconstruction of existing taxiways
- Removal of existing taxiways
- Expansion of existing taxiways
- New stormwater infrastructure
- Development of Port-owned properties by tenants
- Redevelopment of Port-owned properties by tenants

Stormwater runoff generated from new impervious surface area is the primary pathway for anticipated effects to ESA-listed species and designated critical habitat. Other possible effects to ESA-listed species and/or designated critical habitat (e.g., noise, vibration, visual disturbance, erosion, accidental spills) were assessed but are expected to be minimal because of the distance between the portions of the action area where these types of effects would occur and potentially suitable and/or occupied habitats for ESA-listed species. NMFS requires stormwater management (treatment and/or flow control) for all new impervious surface area constructed. Reconstruction of existing impervious surface area requires such areas to meet NMFS' current stormwater management (treatment and/or flow control) requirements.

Table 1 identifies the specific actions proposed, including estimated new impervious surface area created, existing impervious surface area reconstructed, existing impervious surface area removed, and the proposed stormwater treatment and/or detention approaches proposed. In all cases, the estimates of impervious surface area are conservative to be refined during design but will not exceed the estimates. During design the proposed stormwater facilities will be sized to treat the actual impervious surface area requiring stormwater treatment and or management. As a specific project advances engineering and design, stormwater facilities will be refined to comply with the Port's Stormwater Master Plan for HIO (Otak 2023) or the Port's Stormwater Master Plan for PDX (Gresham Smith and Partners 2015), respectively.

Table 1. Estimated maximum totals of reconstructed, new, and removed impervious surface area for each of the twelve proposed projects.

		Impervious Surface Area (ISA) (acres)			
Airport	**Project Name**	**Reconstructed ISA**	**New ISA**	**Removed ISA**	**Proposed Stormwater Treatment Method**
HIO	HIO Runway 13R/31L Southern Reconstruction/Taxiway A Rehabilitation Phase 2	6.95	0.27	3.2	Vegetated Filter Strips
	HIO Taxiway A Rehabilitation Phase 3/Taxilane G Reconstruction	4.62	0.29	0.06	Vegetated Filter Strips; Other TBD
	HIO Sky Harbour Development	--	10	--	Vegetated Filter Strip; Treatment Vaults, Other TBD
	HIO Hotel Replacement	0.30	4.9	--	TBD
	HIO Southside Utility Development		9.5		Vegetated Filter Strips; Other TBD
PDX	Runway 10L-28R Rehabilitation	1.43	0.93	--	Regional Treatment Facility
	Seismically Resilient South Runway	48.0	3.75	--	Regional Treatment Facility
	Atlantic Expansion	3.70	0.65	0.2	Flow-through Planters; Other TBD
	Alderwood Pump Station	--	0.16	--	Other TBD
	Airtrans Center South Ramp Aircraft Parking Expansion East	0.18	1.31	--	Regional Treatment Facility
	NE 33rd Development	2.0	35.0	--	Manufactured Treatment Facilities
	PDX Taxiway J Reconstruction	6.2	1.4	--	Regional Treatment Facility

Section 3.1 of the BA and the PoP Memo provide a detailed description of each of the proposed actions and are being adopted here.

BIOLOGICAL OPINION

We examined the status of each species that would be adversely affected by the proposed action to inform the description of the species' "reproduction, numbers, or distribution" as described in 50 CFR 402.02. We also examined the condition of critical habitat throughout the designated area and discuss the function of the physical or biological features essential to the conservation of the species that create the conservation value of that habitat.

We incorporate by reference, here, the analysis and findings of effects submitted in the BA (WSP 2024) and the January 13, 2025, Memo (PoP 2025), summarized as follows.

Table 2. Project-related Effects to ESA-listed Species and Designated Critical Habitat

ESA-Listed Species	Determination of Effect to Listed Species	Determination of Effect to Critical Habitat	Pathway for Potential Effects
Lower Columbia River (LCR) ESU* Chinook salmon[1,2]	LAA†	LAA	Water quality degradation from stormwater runoff
Upper Columbia River (UCR) spring-run ESU Chinook salmon[1,2]	LAA	LAA	Water quality degradation from stormwater runoff
Upper Willamette River (UWR) ESU Chinook salmon[1,2]	LAA	LAA	Water quality degradation from stormwater runoff
Snake River (SR) spring/summer-run ESU Chinook salmon[1,3]	LAA	LAA	Water quality degradation from stormwater runoff
SR fall-run ESU Chinook salmon[1,4]	LAA	LAA	Water quality degradation from stormwater runoff
Columbia River (CR) ESU chum salmon[1,2]	LAA	LAA	Water quality degradation from stormwater runoff
LCR ESU coho salmon [1,5]	LAA	LAA	Water quality degradation from stormwater runoff
SR ESU sockeye salmon[1,4]	LAA	LAA	Water quality degradation from stormwater runoff
UCR DPS‡ steelhead[6,2]	LAA	LAA	Water quality degradation from stormwater runoff
LCR DPS steelhead[6,2]	LAA	LAA	Water quality degradation from stormwater runoff
UWR DPS steelhead[6,2]	LAA	LAA	Water quality degradation from stormwater runoff
Middle Columbia River (MCR) DPS steelhead[6,2]	LAA	LAA	Water quality degradation from stormwater runoff
Snake River Basin (SRB) steelhead[6,2]	LAA	LAA	Water quality degradation from stormwater runoff
Southern DPS green sturgeon[7,8]	LAA	LAA	Water quality degradation from stormwater runoff
Southern DPS eulachon[9,10]	LAA	LAA	Water quality degradation from stormwater runoff
Southern Resident DPS Killer Whale[11]	NLAA‡	NLAA	Potential reduction in prey base
Sunflower Sea Star[12] (Proposed)	LAA	--	Water quality degradation from stormwater runoff

*Evolutionarily Significant Unit (ESU); ‡ Distinct Population Segment (DPS); †Likely to Adversely Affect; ‡Not Likely to Adversely Affect
[1] 70 FR 37160; [2] 70 FR 25630; [3] 64 FR 57399; [4] 58 FR 68543 [5] 81 FR 9252; [6] 71 FR 834; [7] 71 FR 17757; [8] 74 FR 30714; [9] 75 FR 13012;
[10] 74 FR 65324; [11] 70 FR 69903; [12] 88 FR 16212.

We also examined the likely effects on any listed species and critical habitats for which the FAA made "not likely to adversely affect" determinations. Our conclusions regarding the effects of the action on those species and critical habitats is presented below under the heading: NLAA determinations.

ACTION AREA

"Action area" means all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action (50 CFR 402.02). We incorporate here by

reference, the action areas described in Section 5.0 of the submitted BA (WSP 2024) and in the PoP Memo (2025), respectively.

ENVIRONMENTAL BASELINE

The "environmental baseline" refers to the condition of the listed species or its designated critical habitat in the action area, without the consequences to the listed species or designated critical habitat caused by the proposed action. The environmental baseline includes the past and present impacts of all federal, state, or private actions and other human activities in the action area, the anticipated impacts of all proposed federal projects in the action area that have already undergone formal or early section 7 consultations, and the impact of state or private actions that are contemporaneous with the consultation in process. The impacts to listed species or designated critical habitat from federal agency activities or existing federal agency facilities that are not within the agency's discretion to modify are part of the environmental baseline (50 CFR 402.02).

The status of each species considered in this consultation varies considerably from very high risk of extinction, to moderate, to low risk of extinction. The environmental baseline is such that individual ESA-listed species in the lower Columbia River basin are exposed to reduced water quality, lack of suitable riparian and aquatic habitat, and restricted movement due to developed urban areas and land use practices that have limited access to historically available habitat. Many conditions in the baseline are understood to limit productivity and specified as factors limiting productivity in a manner that impedes recovery. These stressors, as well as those from climate change, already exist, and we consider these factors with the addition of any adverse effects produced by the proposed action. Sections 6.0 and 7.0 of the BA (WSP 2024) describe the environmental baseline in detail and are being adopted here.

In summary, the action area is part of a highly anthropogenically impacted network of habitats for ESA-listed fish species whose populations have continued to decrease or remain somewhat stable at low levels for many years. However, the aquatic habitats present in the action area continue to provide a wide range of important habitat functions for ESA-listed species.

EFFECTS OF THE ACTION

Under the ESA, "effects of the action" are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action.

Section 8.0 of the BA (WSP 2024) and the PoP Memo (PoP 2025) provide a detailed discussion and comprehensive assessment of the effects of the proposed action and are adopted here (50 CFR 402.14(h)(3)). NMFS has evaluated the analyses presented in these documents and after our independent, science-based evaluation, determined they meet our regulatory and scientific standards. Table 2 summarizes the findings of the BA and PoP Memo. The following section

summarizes the effects analyses from the BA and PoP Memo, respectively, and supplements the analysis of stormwater effects on sunflower sea star.

Short-term effects are primarily associated with the proposed upland construction activities at each airport. Effects may include increased turbidity, construction noise disturbance, and potential contaminant leaks from construction equipment use and storage. The long-term effects of the proposed actions on ESA-listed species and designated critical habitat are primarily associated with the alterations of water quality caused by stormwater runoff due to new and reconstructed impervious surface areas. The proposed action also includes stormwater management best management practices (BMPs) to minimize some of the adverse effects of stormwater runoff.

Little is known about specific effects of toxic contaminants on sunflower sea stars, or how stress from exposure to such chemicals affects susceptibility to sea star wasting syndrome. Laboratory challenge tests have exposed larval stages of various marine invertebrates to hydrocarbons, heavy metals, pesticides, and other contaminants commonly found in stormwater runoff. Documented impacts range from developmental abnormalities to behavioral augmentation, and mortality is common at concentrations as low as several parts per million (e.g., Hudspith et al. 2017, de Almeida Rodrigues et al. 2022). For juvenile and adult marine invertebrates, including sea stars and other echinoderms, a variety of sublethal behavioral and physiological effects from these toxic contaminants have been documented, but mortality is also possible. Suspended sediment in stormwater may also be a concern as sea stars that become covered by sediment may experience greater risk of wasting disease. Absent species-specific data for the sunflower sea star, ecologically and physiologically similar species can be used as proxies to state that stormwater runoff is likely to harm, injure, or kill sunflower sea stars, with the greatest effects occurring during the larval life-history stage.

CUMULATIVE EFFECTS

"Cumulative effects" are those effects of future state or private activities, not involving federal activities, that are reasonably certain to occur within the action area of the federal action subject to consultation (50 CFR 402.02). Future federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the ESA. Section 8.5 of the BA provides a detailed discussion and assessment of the cumulative effects and is incorporated here by reference.

INTEGRATION AND SYNTHESIS

The Integration and Synthesis section is the final step in our assessment of the risk posed to species and critical habitat as a result of implementing the proposed action. In this section, we add the effects of the action to the environmental baseline and the cumulative effects, taking into account the status of the species and critical habitat, to formulate the agency's biological opinion as to whether the proposed action is likely to: 1) reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing its numbers, reproduction, or distribution; or 2) appreciably diminish the value of designated critical habitat as a whole for the conservation of the species.

Each species considered in this opinion is listed as either threatened or endangered under the ESA, with the exception of the sunflower sea star which was proposed for listing in 2023 (88 FR 2023). The status of each species varies considerably from very high risk of extinction, to moderate, to low risk of extinction. These species are listed under the ESA because of reductions in abundance from historical levels, low productivity, reductions in diversity, and diminishment in spatial structure. Contaminants/pollutants, water quality, and/or degraded freshwater habitat are all limiting factors for the species analyzed in this opinion, with the exception of SR-FR Chinook salmon, and will be affected by the proposed action. However, even SR-FR Chinook salmon migrate through areas of poor water quality and, thus, are exposed to those physical effects and consequences.

As discussed in section 8.0 of the BA, and briefly summarized above, the direct effects of upland construction activities are expected to be minimal, as there are no ESA-listed species or critical habitat located within or directly adjacent to the construction footprints. BMPs will also be implemented during construction to minimize those effects. The proposed actions will; however, have permanent adverse effects on the ESA-listed species and designated critical habitat in the action area due to increased discharge of treated stormwater runoff, which will contribute to water quality pollutants already present in the Lower Columbia River basin. As a whole, the proposed actions will reconstruct up to 73.38 acres of existing impervious area, create up to 68.16 acres of new impervious area, and remove approximately 3.58 acres of existing impervious area, resulting in up to 64.58 acres of net new impervious area. Stormwater treatment will be provided for all new and reconstructed impervious surfaces and will be consistent with the design standards established in the applicable stormwater design manual for each airfield. The treatment standard is also consistent with the standards established in the *Revised Standard Local Operating Procedures for Endangered Species to Administer Maintenance or Improvement of Stormwater, Transportation, and Utility Actions Authorized or Carried Out by the U.S. Army Corps of Engineers in Oregon* (SLOPES V STU) (NMFS 2013). While permanent effects include lethal, sublethal, and behavioral responses to pollutants in stormwater discharge, the proposed actions should not result in appreciable modification of the baseline conditions for species survival, nor will the proposed actions result in effects that will detract from ongoing recovery efforts.

Stormwater flow control (detention, retention, infiltration) is required to minimize adverse hydromodification to receiving waters. Flow controls will be required for projects occurring at HIO and the Port's associated properties in the Tualatin Basin. Flow controls are not required for projects at PDX or the Port's associated properties located within the Middle Columbia Slough and Upper Columbia Slough, as these areas are separated from the Columbia and Willamette rivers by dikes. Water surface elevation within the diked areas is regulated by active pumping administrated by the Urban Flood Safety and Water Quality District. Requiring stormwater flow controls within these drainage districts would impair the ability to manage flood risks.

The sunflower sea star is proposed for listing throughout its range, and no data exists to suggest anything other than a single, panmictic population. Therefore, to reach a determination of jeopardy, a proposed action would have to impact rangewide population dynamics. We are not currently aware of any habitat types or locations used by sunflower sea stars for mating or spawning, larvae are planktonic, and juveniles appear in a variety of habitats. We do not expect any single site-specific action to result in jeopardy, but broad-scale programmatic actions

occurring over a substantial portion of the range might result in appreciable reductions in the number, distribution, or reproduction of sea stars.

Climate change and human development have and continue to adversely impact critical habitat creating limiting factors and threats to the recovery of the ESA-listed species considered in this Opinion. Climate change will likely result in a generally negative effect on stream flow and temperature. NMFS assumes that the environmental baseline is not meeting all biological requirements for individuals of all 15 species considered in this Opinion. This is due to one or more impaired aquatic habitat functions related to any of the habitat factors limiting the recovery of the species in that area. Non-federal plans to mitigate climate change are largely unknown but may have localized benefits that extend to species and habitat within the Columbia River Basin as a whole. When these influences are considered collectively, we expect trends in habitat quality to remain flat or degrade gradually over time. This will, at best, further stress population abundance and productivity for the species affected by this consultation. In a worst-case scenario, we expect population abundance trends to decline. Likewise, we also expect the quality and function of habitat physical and biological features to remain flat or gradually decline over time. Retaining and restoring habitat complexity, improving access to climate refuges (both flow and temperature), and improving growth opportunity in both freshwater and marine environments are strongly advocated in the recent literature (Siegel and Crozier 2020).

After reviewing and analyzing the current status of the listed species and critical habitat, the environmental baseline within the action area, the effects of the proposed action, the effects of other activities caused by the proposed action, and cumulative effects, it is NMFS' biological opinion that the proposed action is not likely to jeopardize the continued existence of the following species or destroy or adversely modify their designated critical habitat:

- Lower Columbia River Chinook salmon
- Upper Willamette River Chinook salmon
- Upper Columbia River spring-run Chinook salmon
- Snake River spring/summer-run Chinook salmon
- Snake River fall-run Chinook salmon
- Columbia River chum salmon
- Lower Columbia River coho salmon
- Snake River sockeye salmon
- Lower Columbia River steelhead
- Middle Columbia River steelhead
- Upper Columbia River steelhead
- Upper Willamette River steelhead
- Snake River Basin steelhead
- Southern DPS eulachon
- Southern DPS of green sturgeon
- Sunflower sea star

INCIDENTAL TAKE STATEMENT

Section 9 of the ESA and federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without a special exemption. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. "Harm" is further defined by regulation to include significant habitat modification or degradation that actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering (50 CFR 222.102). "Harass" is further defined by guidance as to "create the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering." "Incidental take" is defined by regulation as takings that result from, but are not the purpose of, carrying out an otherwise lawful activity conducted by the federal agency or applicant (50 CFR 402.02). Section 7(b)(4) and section 7(o)(2) provide that taking that is incidental to an otherwise lawful agency action is not considered to be prohibited taking under the ESA if that action is performed in compliance with the terms and conditions of this ITS.

Amount or Extent of Take

In the biological opinion, NMFS determined that incidental take of the species considered is reasonably certain to occur because some individuals in the action area will be harmed due to adverse effects of the proposed actions via reduced water quality from increased impervious surfaces and resultant stormwater inputs of heavy metals, suspended solids, petroleum hydrocarbons, excess nutrients, pesticides, 6PPD-quinone, and other trace pollutants. This stormwater-driven decrease in water quality, which is an essential physical biological feature of designated critical habitat, can significantly impair essential breeding, spawning, rearing, migrating, feeding, or sheltering behavioral patterns such that fish will be injured or killed from the increase in pollution or will experience a reduction in fitness, growth, or survival.

Accurately quantifying the number of fish or sea stars that may be harmed by this effect pathway is not possible because injury and death of individuals in the action area is a function of habitat quality, competition, predation, and the interaction of processes that influence genetic, population, and environmental characteristics. These biotic and environmental processes are highly variable and interact in ways that may be random or directional and may operate across broad temporal and spatial scales. The precise distribution and abundance of fish within the action area at the time of the action are not a simple function of the quantity, quality, or availability of predictable habitat resources within that area. Rather, the distribution and abundance of fish also show wide, random variations due to biological and environmental processes operating at much larger demographic and regional scales. Furthermore, there are no methods available to monitor this death and injury because it will occur throughout the year and after the proposed action has been completed. Therefore, it is not practical or realistic to attempt to identify and monitor the number of fish or sea stars taken by the pathways described.

Similarly, the distribution of stormwater pollutants also varies widely within the receiving waterbodies as a function of surrounding land use, pre-rainfall conditions, rainfall intensity and duration, and mixing from other drainage areas. Stormwater runoff events are often relatively

brief, especially in urban streams, so that large inputs of runoff and pollutants can occur and dissipate within a few hours.

In cases such as this, where quantifying the number of fish and sea stars is not possible, we use take surrogates or take indicators that rationally reflect the incidental take caused by the proposed action. Here, the best available indicator for the extent of take is the following combination of stormwater facility inspection, maintenance, and recording actions because those variables will determine whether the proposed stormwater treatment system continues to reduce the concentration of pollutants in stormwater runoff as designed, and, thus, reflect the amount of incidental take analyzed in the opinion. This indicator is appropriate for the proposed action because it has a rational connection to the release of stormwater pollutants that cause take of listed species.

1. All actions, whether implemented by FAA or its non-federal permittee (PoP), shall construct, implement, or otherwise install the stormwater facilities/BMPs detailed in the BA.
2. FAA, or its non-federal permittee (PoP), shall monitor the function of installed stormwater facilities/BMPs to ensure their proper operation and conformation with established operations and maintenance procedures (O&M) for stormwater abatement, treatment, and detention/retention facilities at Portland International Airport (PDX) and Hillsboro International Airport (HIO).

If the stormwater system is not implemented, inspected, and maintained (as described in #1 and #2, above), the extent of take surrogate for stormwater will be exceeded.

The amount or extent of take in this ITS serves two functions. First, it identifies the quantity of incidental take exempted for the action agency and applicant. In the case of a species without 4(d) protective regulations, such as the sunflower sea star or eulachon, the exemption is not needed because incidental take is not prohibited. Second, it serves as a check on NMFS' jeopardy analysis. The amount or extent of take identifies the anticipated level of take NMFS considered in reaching its conclusion that the proposed action will not jeopardize the continued existence of a listed species. If this level of take is exceeded, reinitiation of consultation is triggered to ensure that NMFS' no-jeopardy conclusion remains valid.

Effect of the Take

In the biological opinion, NMFS determined that the amount or extent of anticipated take, coupled with other effects of the proposed action, is not likely to result in jeopardy to the species or destruction or adverse modification of critical habitat.

Reasonable and Prudent Measures

"Reasonable and prudent measures" (RPMs) refer to those actions the Director considers necessary or appropriate to minimize the impact of the incidental take on the species (50 CFR 402.02). RPMs are non-discretionary measures to minimize the impact of the incidental take on the species (50 CFR 402.02) and may include measures implemented inside or outside of the

action area that avoid, reduce, or offset the impact of incidental take (50 CFR 402.14(i)(2)). The following measures are necessary or appropriate to minimize the extent of incidental take of listed species from the proposed action:

1. The FAA will minimize take to species assessed in this Opinion from exposure to stormwater pollutants associated with new and reconstructed impervious surfaces by ensuring that stormwater runoff produced by impervious surfaces of the PDX and HIO airports that are modified through the proposed actions are treated and discharge(s) managed with stormwater facilities/BMPs that are designed, constructed, operated, and maintained using the best available information on low impact development (LID) principals and best management practices for stormwater treatment, flow control, and discharge.
2. The FAA will minimize take by ensuring the completion of a monitoring and reporting program to confirm that the take exemption of the proposed action is not exceeded and that the terms and conditions in this incidental take statement are effective in minimizing incidental take.

Terms and Conditions

In order to be exempt from the prohibitions of section 9 of the ESA, the federal action agency must comply (or must ensure that any applicant complies) with the following terms and conditions (T&Cs). The T&Cs described below are non-discretionary, and FAA, or its permittee, must comply with them in order to implement the RPMs (50 CFR 402.14). The FAA, or its permittee, has a continuing duty to monitor the impacts of incidental take and must report the progress of the action and its impact on the species as specified in this ITS (50 CFR 402.14). If the FAA does not comply with the following T&Cs, protective coverage for the proposed action would likely lapse.

1. The following terms and conditions implement RPM #1 (stormwater management):
    a. The project developer will be responsible for ensuring installation, function, and maintenance of the proposed stormwater facilities/BMPs during construction, as described in the proposed action detailed in the BA.
    b. Following construction, the Port of Portland or any successor in interest to the project developer will assume responsibility for maintenance of all of the system components per the manufacturers recommendations and/or as described in the BA and in the Port of Portland's stormwater management plans for the PDX and HIO airports.
    c. The Port will carry out the stormwater operation and maintenance plans as described in the BA including all provisions pertaining to: identification of responsible parties, inspection and maintenance schedule, and inspection and maintenance procedures. The Port will also keep and preserve a log of all maintenance activities.

2. The following terms and conditions implement RPM #2 (monitoring and reporting):
    a. The FAA shall submit the following reports to NMFS:
        i. A project completion report within 60 days of completing construction[1] for each of the proposed activities, including:
            1. Project name (include the consultation tracking number WCRO-2024-002704)
            2. FAA contact person
            3. Port of Portland contact person
            4. Construction completion date
        ii. Three annual reports summarizing each stormwater facility/BMP O&M for the three, consecutive, full years following construction[1], including the following information:
            1. Stormwater facility/BMP identifying information:
                a. Identifying name or number
                b. Location
                c. Diagram or schematic of facility/BMP depicting its location relative to adjacent infrastructure
            2. Stormwater facility/BMP monitoring logs with:
                a. The name of the employee or contractor responsible for all inspections
                b. The date of each regular inspection, as specified in the airport's O&M plan for stormwater facilities/BMPs
                c. The date of any additional inspection made in response to triggering events (such as storm events with greater than or equal to 1 inch of rain during a 24-hour period, spills or foreign materials entering a stormwater facility/BMP with the potential to impair its function or effectiveness)
                d. A description of any structural repairs (such as facility cleanout – sediment and oil removal and disposal – vegetation management, erosion control, ponding water, pests, trash or debris removal) to return the facility/BMP to its designed functional condition
                e. An estimate of the percent cover of healthy vegetation in those stormwater facilities/BMPs that rely on vegetated elements to achieve treatment or flow control functions. For those stormwater facilities/BMPs that have less than 80% cover of desirable vegetation, include a description of any corrective action taken to attain the 80% cover requirement
        iii. Each of the above reports must be submitted to:
        projectreports.wcr@noaa.gov
        Attn: WCRO-2024-02704

[1] Construction completion is identified as the date on which all stormwater facility/BMP components have been completed such that it can enter into service at its designed functionality. This includes vegetation installation, where applicable.

Conservation Recommendations

Section 7(a)(1) of the ESA directs federal agencies to use their authorities to further the purposes of the ESA by carrying out conservation programs for the benefit of the threatened and endangered species. Specifically, conservation recommendations are suggestions regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat or regarding the development of information (50 CFR 402.02). No conservation recommendations are included with this Opinion.

Reinitiation of Consultation

Under 50 CFR 402.16(a): "Reinitiation of consultation is required and shall be requested by the federal agency where discretionary federal involvement or control over the action has been retained or is authorized by law and: (1) If the amount or extent of taking specified in the incidental take statement is exceeded; (2) If new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (3) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the biological opinion or written concurrence; or (4) If a new species is listed or critical habitat designated that may be affected by the identified action."

NLAA DETERMINATIONS

We reviewed the FAA's consultation request document and related materials. Based on our knowledge, expertise, and your action agency's materials, we concur with the action agency's conclusions that the proposed action is not likely to adversely affect the following NMFS ESA-listed species or their designated critical habitat:

- Southern Resident DPS Killer Whale

ESSENTIAL FISH HABITAT RESPONSE

Thank you also for your request for essential fish habitat (EFH) consultation. NMFS reviewed the proposed action for potential effects on EFH pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), implementing regulations at 50 CFR 600.920, and agency guidance for use of the ESA consultation process to complete EFH consultation. We have concluded that the action would adversely affect EFH designated under the following fisheries management plans: Pacific Coast Salmon Fishery Management Plan (PFMC 2024a), Coastal Pelagic Species Fishery Management Plan (PFMC 2024b), and the Pacific Coast Groundfish Fishery Management Plan (PFMC 2024c). EFH conservation recommendations are provided below.

Magnuson-Stevens Fishery Conservation and Management Act

Section 305(b) of the MSA directs federal agencies to consult with NMFS on all actions or proposed actions that may adversely affect EFH. Under the MSA, this consultation is intended to promote the conservation of EFH as necessary to support sustainable fisheries and the managed species' contribution to a healthy ecosystem. For the purposes of the MSA, EFH means "those

waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity", and includes the associated physical, chemical, and biological properties that are used by fish (50 CFR 600.10). Adverse effect means any impact that reduces quality or quantity of EFH, and may include direct or indirect physical, chemical, or biological alteration of the waters or substrate and loss of (or injury to) benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality or quantity of EFH. Adverse effects may result from actions occurring within EFH or outside of it and may include direct, indirect, site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions (50 CFR 600.810). Section 305(b) of the MSA also requires NMFS to recommend measures that can be taken by the action agency to conserve EFH. Such recommendations may include measures to avoid, minimize, mitigate, or otherwise offset the adverse effects of the action on EFH (50 CFR 600.905(b)).

EFH Affected by the Proposed Action

The proposed project occurs within EFH for various federally managed fish species within the Pacific Coast Salmon (PFMC 2024a), coastal pelagic species (PFMC 2024b), and Pacific Coast groundfish (PFMC 2024c) Fishery Management Plans (FMPs).

In addition, the project occurs within, or in the vicinity of the Columbia River estuary which is designated as a habitat area of particular concern (HAPC) for various federally managed fish species within the Pacific Coast Salmon FMP, Pacific Coast Groundfish FMP, and the Coastal Pelagic Species FMP. HAPCs are described in the regulations as subsets of EFH that are rare, particularly susceptible to human-induced degradation, especially ecologically important, or located in an environmentally stressed area. Designated HAPCs are not afforded any additional regulatory protection under the MSA; however, federal projects with potential adverse impacts on HAPCs will be more carefully scrutinized during the consultation process.

W evaluated the effects of the proposed actions on Essential Fish Habitat (EFH), as regulated by the Magnuson-Stevens Fisheries Conservation and Management Act, summarized in Table 3.

Table 3. Project-related Effects to Essential Fish Habitat

Essential Fish Habitat	Determination of Effect to EFH	Pathway for Potential Effects
EFH† – Pacific Salmonids[1]	LAA	Water quality degradation from stormwater runoff
EFH – Coastal Pelagic Species[2]	LAA	Water quality degradation from stormwater runoff
EFH – Groundfish[3]	LAA	Water quality degradation from stormwater runoff
†Essential Fish Habitat [1]PFMC 2024a; [2] PFMC 2024b; [3] PFMC 2024c.		

Adverse Effects on EFH

NMFS determined the proposed action would adversely affect freshwater and estuarine EFH, including the associated HAPCs, through the delivery of pollutants in stormwater runoff from

impervious surfaces within the overall project area, resulting in episodic and permanent effects on water quality.

EFH Conservation Recommendations

NMFS determined that the following conservation recommendations are necessary to avoid, minimize, mitigate, or otherwise offset the adverse effects of the proposed action on EFH:

1. The FAA should implement RPM 1 to minimize the delivery of stormwater pollutants to streams containing EFH for Pacific Coast salmon, Pacific Coast groundfish, coastal pelagic species, and HAPCs. Implementation of RPM 1, including the required Terms and Conditions, will serve as EFH conservation measures.

Statutory Response Requirement

As required by section 305(b)(4)(B) of the MSA, the FAA must provide a detailed response in writing to NMFS within 30 days after receiving an EFH conservation recommendation. Such a response must be provided at least 10 days prior to final approval of the action if the response is inconsistent with any of NMFS' EFH conservation recommendations unless NMFS and the federal agency have agreed to use alternative time frames for the federal agency response. The response must include a description of the measures proposed by the agency for avoiding, minimizing, mitigating, or otherwise offsetting the impact of the activity on EFH. In the case of a response that is inconsistent with the conservation recommendations, the federal agency must explain its reasons for not following the recommendations, including the scientific justification for any disagreements with NMFS over the anticipated effects of the action and the measures needed to avoid, minimize, mitigate, or offset such effects (50 CFR 600.920(k)(1)).

Supplemental Consultation

The FAA must reinitiate EFH consultation with NMFS if the proposed action is substantially revised in a way that may adversely affect EFH or if new information becomes available that affects the basis for NMFS' EFH conservation recommendations (50 CFR 600. 920(l)).

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The biological opinion will be available through NOAA Institutional Repository [https://repository.library.noaa.gov/]. A complete record of this consultation is on file at Oregon Washington Coastal Office in Portland, Oregon.

Please direct questions regarding this letter to Brad Rawls, ESA Consultation Biologist, in the Oregon Washington Coastal Office at 503-230-5414 or brad.rawls@noaa.gov.

Sincerely,

Kathleen Wells
Assistant Regional Administrator
Oregon Washington Coastal Office

cc: Ilon Logan, Federal Aviation Administration
Maureen Minister, Port of Portland
Michelle Hollis, Port of Portland
Nick Atwell, Port of Portland
Dan Gunderson, WSP

REFERENCES

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WSP USA, Inc. August 23, 2024. *Biological Assessment Port of Portland and Tenant Projects on Airport Lands – Batch #2*. Prepared for the Federal Aviation Administration on behalf of the Port of Portland. Vancouver, Washington.

ATTACHMENT F:
WETLAND JURISDICTIONAL DETERMINATIONS

Oregon
Tina Kotek, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregon.gov/dsl

May 15, 2023

Port of Portland
Attn: Matt Paroulek
7200 NE Airport Way
Portland, OR 97208

Re: WD # 2022-0508 **Approved**
Delineation Report for the Hillsboro Airport Agricultural Lands
Washington County; T1N R2E S28 TL1550 (Portion)
City of Hillsboro Local Wetlands Inventory Wetland GS-2

Dear Matt Paroulek:

The Department of State Lands has reviewed the wetland delineation report prepared by you for the site referenced above. Please note that the 3 study areas (A, B, and C) include only a portion of the tax lot described above (see the attached map). Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 7, 8a through 8e of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 4 wetlands (Wetland A, B, B2 and E) and 8 waterways (Drainage Ditch 1, 2 and C; Roadside Ditch 1, 2, 3, 4 and 5) were identified. Three of the 4 wetlands (Wetland A, B and E, totaling 3.03 acres) and 3 of the 8 waterways (Drainage Ditch 1, 2 and C) are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined). Wetland B2 is exempt per OAR 141-085-0515(6) and the roadside ditches are exempt per OAR 141-085-0515(10). Therefore, they are not subject to current these state permit requirements.

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact Chris Stevenson, PWS, the Jurisdiction Coordinator for Washington County at 503-798-7622.

Sincerely,

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Matt Paroulek, PWS, Port of Portland
Maureen Minister, Port of Portland
City of Hillsboro Planning Department
Rafael Orozco, Corps of Engineers
Michael De Blasi, DSL
Lindsey Obermiller, Clean Water Services

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- **Under 50MB** - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- OR a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

Contact and Authorization Information

☒ Applicant ☒ Owner Name, Firm and Address:
Port of Portland
7200 NE Airport Way
Portland, OR 97208

Business phone # (503) 415-6685
Mobile phone # (optional) (503) 957-3687
E-mail: matthew.paroulek@portofportland.com

☐ Authorized Legal Agent, Name and Address (if different):

Business phone #
Mobile phone # (optional)
E-mail:

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: Matt Paroulek **Signature:** Matt Paroulek

Date: 09/15/2022 Special instructions regarding site access: Escort by Port staff required in secure area

Project and Site Information

Project Name: Hillsboro Airport Delineation

Latitude: 45.5410806 Longitude: 122.9438339
decimal degree - centroid of site or start & end points of linear project

Proposed Use:

Tax Map # 1N 2W Sec 28
Tax Lot(s) Portions of Tax Lot 1550

Tax Map #
Tax Lot(s)

Project Street Address (or other descriptive location):
Portions of Hillsboro Airport
3355 NE Cornell Rd, Hillsboro, OR 97124

Township 1N Range 2E Section 28 QQ
Use separate sheet for additional tax and location information

City: Hillsboro County: Washington

Waterway: NA River Mile:

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Matt Paroulek, PWS
Port of Portland
PO Box 3529
Portland, OR 97208

Phone # (503) 415-6685
Mobile phone # (if applicable) (503) 957-3687
E-mail: matthew.paroulek@portofportland.com

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: Matt Paroulek Date: 09/15/2022

Primary Contact for report review and site access is ☒ Consultant ☒ Applicant/Owner ☐ Authorized Agent

Wetland/Waters Present? ☐ Yes ☐ No Study Area size: 280 acres Total Wetland Acreage: 4.1700

Check Applicable Boxes Below

☐ R-F permit application submitted
☐ Mitigation bank site
☐ EFSC/ODOE Proj. Mgr:
☐ Wetland restoration/enhancement project (not mitigation)
☐ Previous delineation/application on parcel
If known, previous DSL # _____

☒ Fee payment submitted **$** 500
☐ Resubmittal of rejected report ($100)
☐ Request for Reissuance. See eligibility criteria. (no fee)
DSL # _____ Expiration date_____
☒ LWI shows wetlands or waters on parcel
Wetland ID code NA

For Office Use Only

DSL Reviewer: CS Fee Paid Date: ____ / ____ / ____ DSL WD # 2022-0508

Date Delineation Received: 9 / 15 / 22 DSL App.# _____

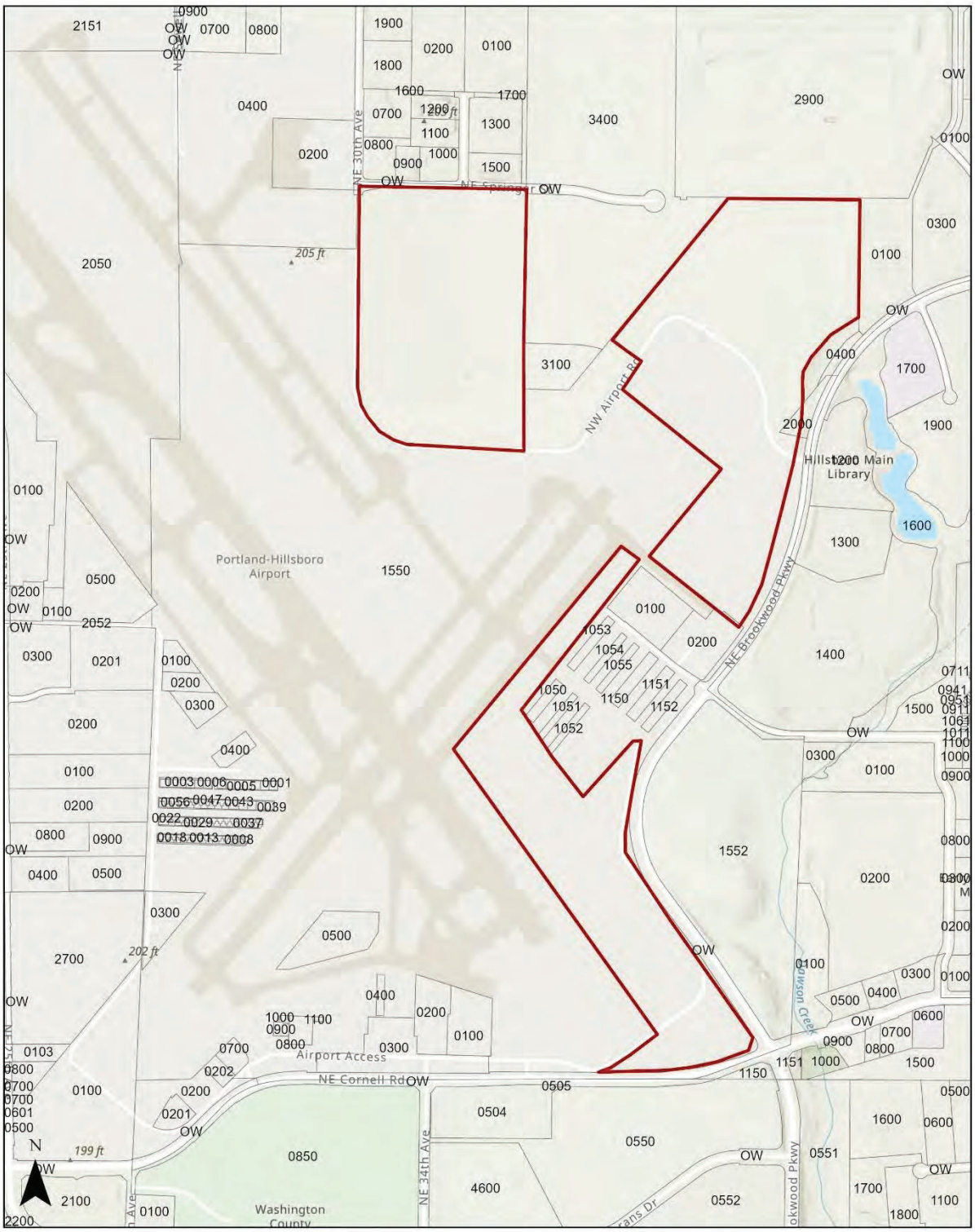


Figure 2: Tax Lot Map

Table 5: Summary of Features Delineated in the Study Area

Potentially Jurisdictional Feature	Latitude/ Longitude	Size (acres or linear feet [LF])	Cowardin Class	Wetland HGM Subclass or Flow Regime	Connection to Other Waters
Wetland A	122.94666, 45.54759	0.29 acres	PEM	Flats	None
Wetland B	122.94540, 45.54389	1.99 acres	PEM	Depressional	None
Wetland B2	122.94459, 45.54436	0.024 acres	PEM	Depressional	None
Drainage Ditch C	122.94304, 45.53704	0.62 acres, 1379 LF	N/A	Ephemeral	Ditch 2
Drainage Ditch 2	122.94289, 45.53613	0.31 acres 1194 LF	PEM	Perennial	Dawson Creek
Wetland E	122.94052 45.532924	0.75 acres	PEM	Slope/Flats	None
Drainage Ditch 1	122.94506, 45.53750	0.19 acres, 623 LF	N/A	Ephemeral	Ditch 1
Roadside Ditches (1 -5)	various	8,208 LF	N/A	Ephemeral	Storm system

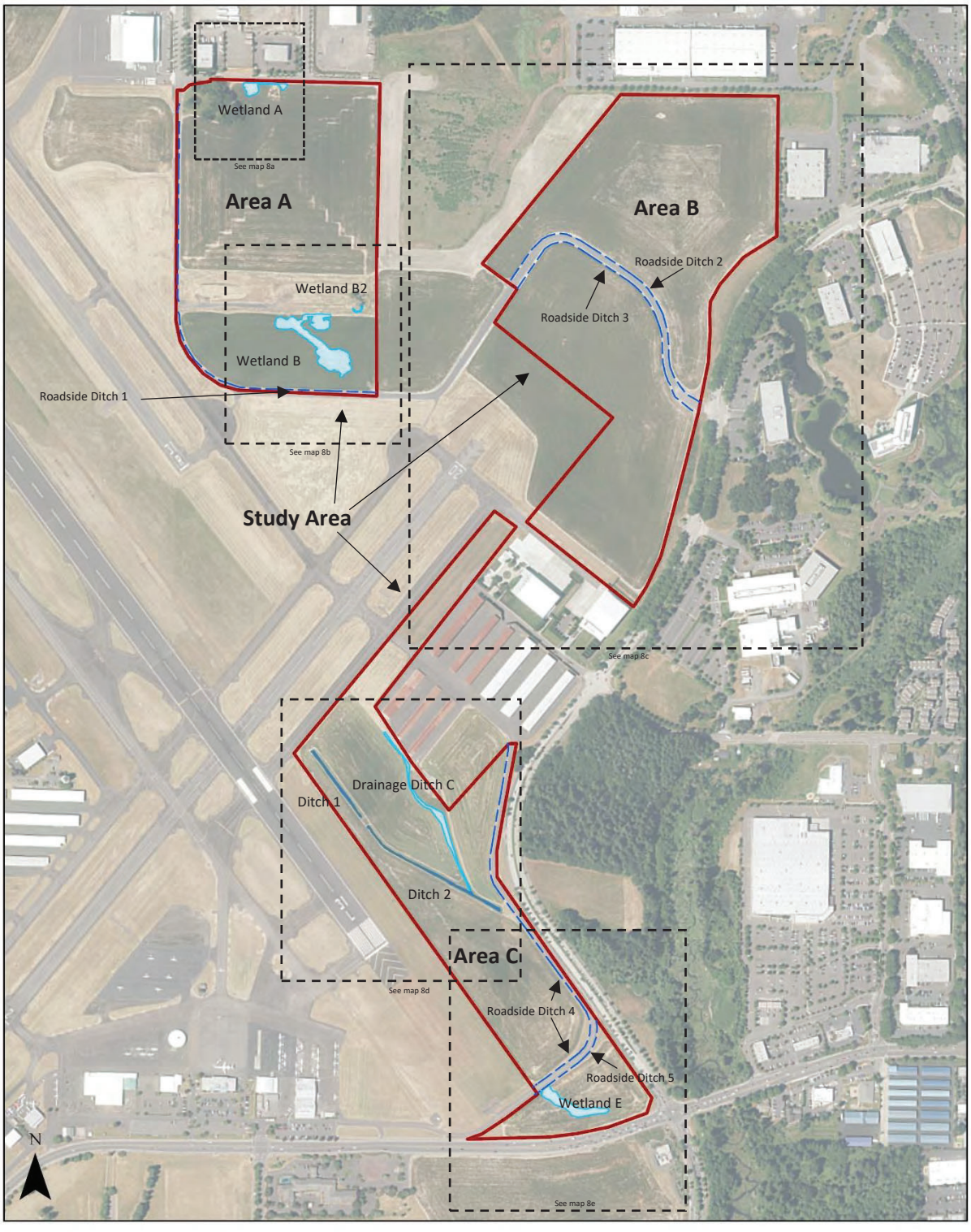


Figure 7: Study Areas

DSL WD # 2022-0508
Approval Issued 5/15/2023
Approval Expires 5/15/2028

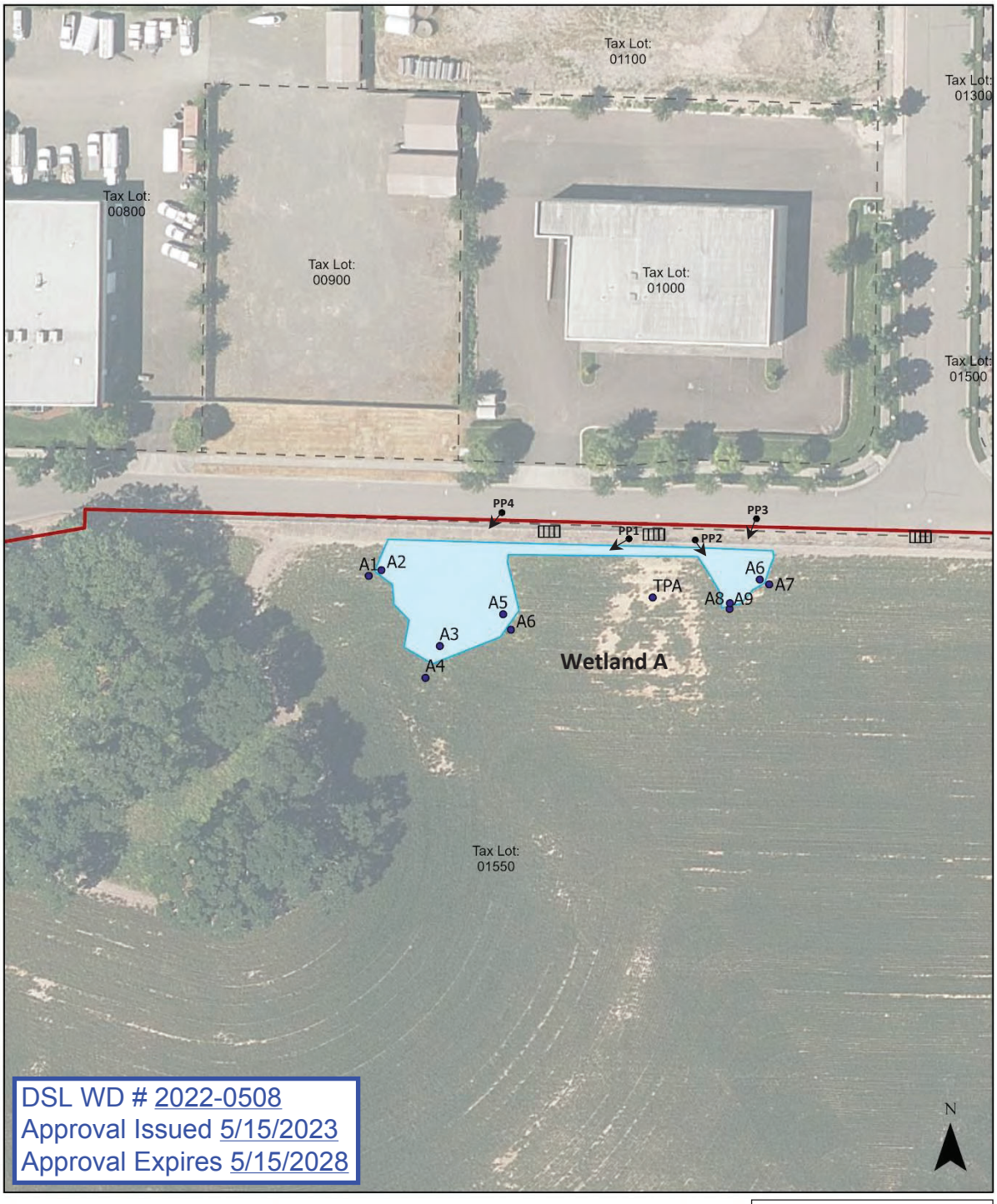


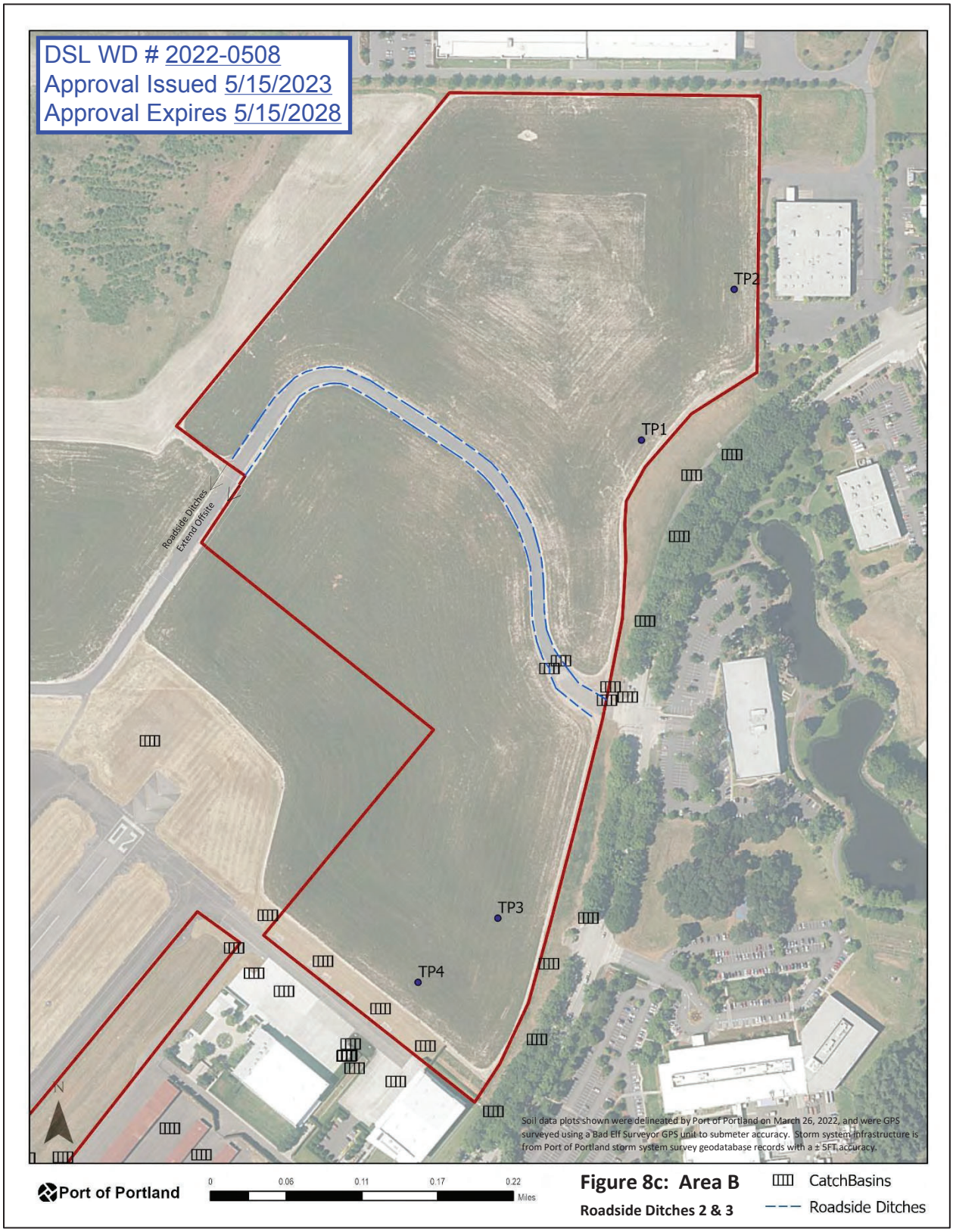
Figure 8a: Wetland A

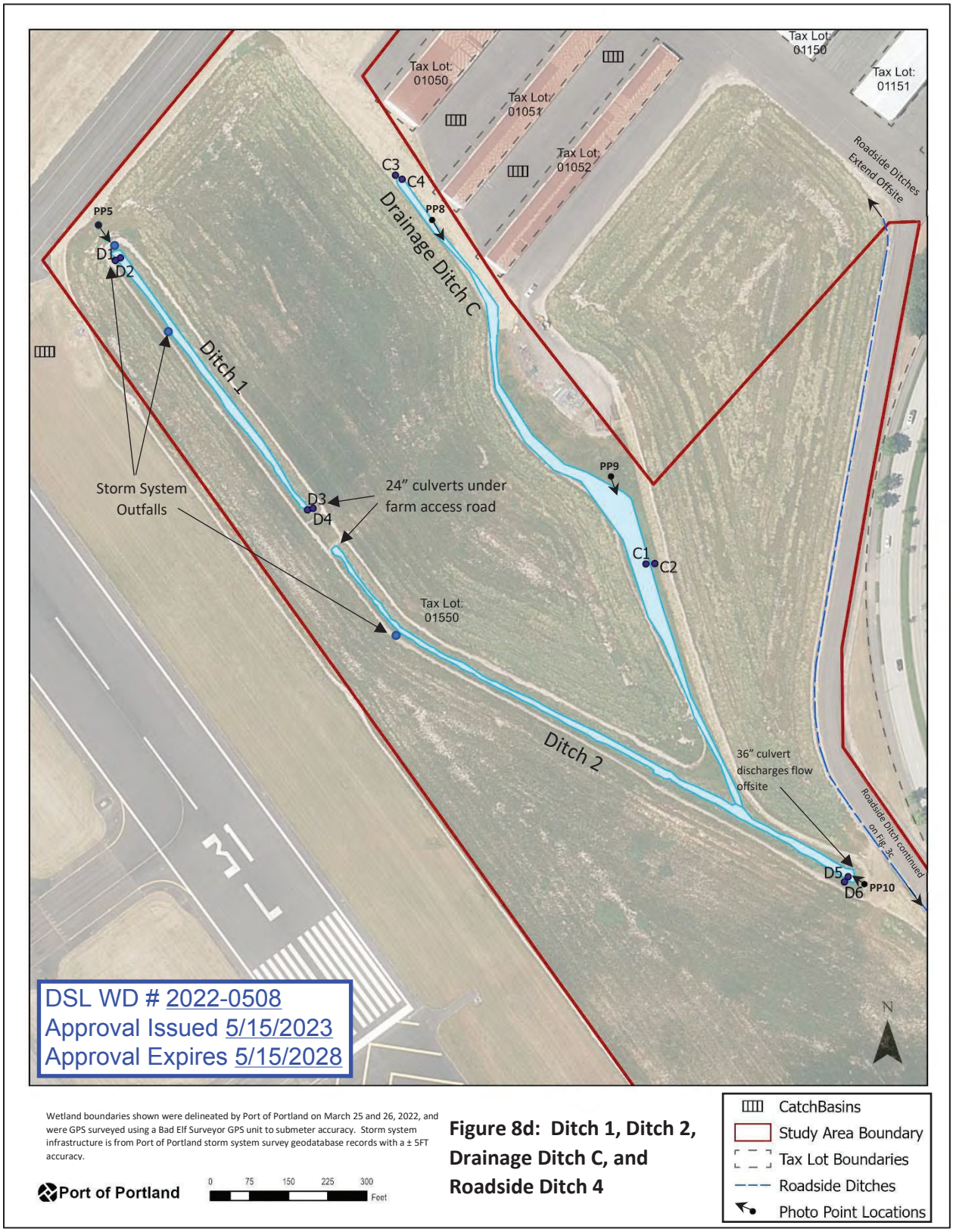
Wetland boundaries shown were delineated by Port of Portland on March 26, 2022, and were GPS surveyed using a Bad Elf Surveyor GPS unit to submeter accuracy. Storm system infrastructure is from Port of Portland storm system survey geodatabase records with a ± 5FT accuracy.

Port of Portland

0 90 180 US Feet

Figure 8c: Wetlands B and B2





Wetland boundaries shown were delineated by Port of Portland on March 25 and 26, 2022, and were GPS surveyed using a Bad Elf Surveyor GPS unit to submeter accuracy. Storm system infrastructure is from Port of Portland storm system survey geodatabase records with a ± 5FT accuracy.

Figure 8d: Ditch 1, Ditch 2, Drainage Ditch C, and Roadside Ditch 4

Wetland boundaries shown were delineated by Port of Portland on March 25, 2022, and were GPS surveyed using a Bad Elf Surveyor GPS unit to submeter accuracy. Storm system infrastructure is from Port of Portland storm system survey geodatabase records with a ± 5FT accuracy.

Port of Portland

0 75 150 225 300 Feet

Figure 8e: Wetland E and Roadside Ditches 4 & 5

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

January 4, 2024

Regulatory Branch
Corps No. NWP-2022-442

Ms. Maureen Minister
Port of Portland
7200 NE Airport Way
Portland, Oregon 97218
Maureen.Minister@portofportland.com

Dear Ms. Minister:

The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the aquatic resources, including wetlands, within the review area on the properties located at 3355 NE Cornell Road in Hillsboro, Washington County, Oregon at Latitude/Longitude: 45.5410806°, -122.9438339°. Other aquatic resources, including wetlands, that may occur on this property or on adjacent properties outside the review area are not the subject of this determination.

The Corps has determined Drainage Ditch 1, Ditch 2, and Drainage Ditch C within the review area are waters of the U.S. The Corps has also determined Wetland A, B, B2, E, and Roadside Ditches 1-5 are not waters of the U.S. The enclosed *Memorandum for Record* (MFR) (Enclosure 1) provides the size, criteria and rationale for jurisdiction for all aquatic resources within the review area. The perimeter of the review area and the boundaries of the delineated waters of the U.S. subject to this AJD are identified on the enclosed drawings (Enclosure 2).

If you object to the enclosed AJD, you may request an administrative appeal under 33 CFR Part 331 as described in the enclosed *Notification of Administrative Appeal Options and Process and Request for Appeal* (*RFA*) form (Enclosure 3). To appeal this AJD, you must submit a completed *RFA* form to the Corps Northwestern Division (NWD) office at the address listed on the form. In order for the request for appeal to be accepted, the Corps must determine that the form is complete, that the request meets the criteria for appeal under 33 CFR § 331.5, and the form must be received by the NWD office within 60 days from the date on the form. It is not necessary to submit the form to the NWD office if you do not object to the enclosed AJD.

This AJD is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a Natural Resources Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

We would like to hear about your experience working with the Portland District, Regulatory Branch. Please complete a customer service survey form available on our website (https://regulatory.ops.usace.army.mil/customer-service-survey/).

If you have any questions regarding our Regulatory Program or permit requirements for work in waters of the U.S., please contact Kinsey M. Friesen by telephone at (503) 808-4378 or by email at kinsey.m.friesen@usace.army.mil.

FOR THE COMMANDER, LARRY D. CASWELL, JR., PE, PMP, COLONEL, U.S. ARMY, DISTRICT COMMANDER and DISTRICT ENGINEER:

Katharine A. Mott

For: William D. Abadie
Chief, Regulatory Branch

Enclosures

cc with drawings:
Oregon Department of State Lands (Chris Stevenson, Chris.Stevenson@dsl.oregon.gov)
Oregon Department of Environmental Quality (401applications@deq.oregon.gov)

CENWP-ODG 4 January 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (January 18, 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 September 2023) ,[1] NWP-2022-442.[2]

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.[3] AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.[4]

On January 18, 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule"). On September 8, 2023, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),[5] the 2023 Rule as amended,

[1] While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.
[2] When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, the territorial seas, or interstate water that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).
[3] 33 CFR 331.2.
[4] Regulatory Guidance Letter 05-02.
[5] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

1. SUMMARY OF CONCLUSIONS.

    a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

        i. Area A, Wetland A is non-jurisdictional wetland 0.29 acre.

        ii. Area A, Wetland B is a non-jurisdictional wetland 1.99 acres.

        iii. Area A, Wetland B2 is a non-jurisdictional wetland 0.024 acre.

        iv. Area C, Wetland E is a non-jurisdictional wetland 0.75 acre.

        v. Wetland Ditch Network. For purposes of the Corps determination Area C, Ditch 1, Ditch 2, and Drainage Ditch C are combined. These wetlands are jurisdictional and are 2,005 linear feet.

        vi. Area A, Roadside Ditch 1 is a non-jurisdictional non- Relatively Permanent Water (RPW) ditch 2,528 linear feet.

        vii. Area B, Roadside Ditch 2 is a non-jurisdictional non-RPW ditch 1,623 linear feet.

        viii. Area B, Roadside Ditch 3 is a non-jurisdictional non-RPW ditch 1,644 linear feet.

        ix. Area C, Roadside Ditch 4 is a non-jurisdictional non-RPW ditch 2,068 linear feet.

        x. Area C, Roadside Ditch 5 is a non-jurisdictional non-RPW ditch 471 linear feet.

2. REFERENCES.

    a. “Revised Definition of ‘Waters of the United States,’” 88 FR 3004 (January 18, 2023) (“2023 Rule”)

b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (September 8, 2023))

c. *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023)

3. REVIEW AREA. The review area is broken up into 3 areas; Area A approximately 38 acres, Area B approximately 53.5 acres, and Area C approximately 38.8 acres in size with the center point located at approximately 45.5410806°N latitude and -122.9438339°W longitude in Hillsboro, Multnomah County, Oregon. The review area and aquatic resources have been modified through previous agricultural and airport construction projects.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED. The review area wetlands and waters are 4.9 river miles and 3.0 aerial (straight) miles from the Tualatin River, which is a TNW to river mile 56.8 by the Portland District Corps of Engineers as described in the October 1993 District list of Navigable Riverways within the State of Oregon.[6]

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER.

   Area A, Wetland A does not have a continuous surface connection to a TNW, the territorial seas, or an interstate water. Wetland A is in the lowest topographic position in the NW corner of Area A. Wetland A is a farmed palustrine emergent (PEM) wetland, the area was used for nursery stock production until 2009 and is now under active grass seed farming since 2014.

   Area A, Wetland B does not have a continuous surface connection to a TNW, the territorial seas, or an interstate water. Wetland B is a farmed PEM wetland located in the center of an actively farmed field in the southern third of Area A.

   Area A, Wetland B2 does not have a continuous surface connection to a TNW, the territorial seas, or an interstate water. Historically Wetland B2 was artificially created from heavy machinery practice operations, or the placement of an all-terrain vehicle/dirt bike track as evidenced by historical aerial imagery.

[6] This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

Area C, Wetland E is a linear PEM wetland that captures overland sheetflow from surrounding fields and surface water flow from Roadside Ditch 4 and 5 located along Airport Road. Wetland E maintains a continuous surface connection with Roadside Ditch 4 and 5 within the review area. Roadside Ditch 4 discharges to Wetland E via a culvert under Airport Road. Roadside Ditch 5 drains to Wetland E primarily. Roadside Ditch 5 flows that aren't captured by Wetland E dissipate further southwest before the next roadway intersection i.e., the ditch goes nowhere. A catchment basin approximately 300 linear feet southeast of Wetland E discharges to Dawson Creek at the topographic low point near the intersection of NW Brookwood Parkway and NW Cornell Road indicates historic tiling and subsurface infiltration. Therefore, Wetland E does not have a direct surface connection to the catchment basin to Dawson Creek.

Wetland Ditch Network consists of Area C, Ditch 1, Ditch 2, and Drainage Ditch C. These surface water features are all PEM wetlands that maintain a continuous surface connection to each other and a TNW. Ditch 1 flows south under an unimproved farm access road through 24-inch culverts that connect to Ditch 2. Ditch 2 flows southeast beneath Hillsboro Airport and NE Brookwood Parkway for approximately 950 feet via a 36-inch culvert to Dawson Creek. Dawson Creek is a relatively permanent water located outside of the review area which maintains a continuous surface connection to the Tualatin River, a TNW. Drainage Ditch C flows south and maintains a continuous surface connection with Ditch 2.

Roadside Ditch 1 through 5 do not have relatively permanent flows. The ditches drain to existing stormwater management systems through catchment basins convey water only during rain events.

6. SECTION 10 JURISDICTIONAL WATERS[7]: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.[8] N/A

[7] 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.
[8] This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

    a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A

    b. The Territorial Seas (a)(1)(ii): N/A

    c. Interstate Waters (a)(1)(iii): N/A

    d. Impoundments (a)(2): N/A

    e. Tributaries (a)(3):

    f. Adjacent Wetlands (a)(4):

        Wetland Ditch Network consists of Area C, Drainage Ditch 1, Ditch 2, and Drainage Ditch C. As described in Section 5 above, these ditches are PEM wetlands that maintain a continuous surface connection with Dawson Creek and then the Tualatin River, a TNW outside of the Review Area. The Corps has determined the Wetland Ditch Network is a water of the U.S.

    g. Additional Waters (a)(5): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

    a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature

within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).[9]

Roadside Ditch 1-4 were excavated wholly in dry land, drain only dry land, and do not carry relatively permanent flow. The Corps has determined Roadside Ditch 1-4 meet the (b)(4) exclusion and are not waters of the U.S.

b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Area A, Wetland A is a farmed wetland. The NW corner where Wetland A lies becomes inundated after large precipitation events but drains quickly due to the adjacent storm drains that enter the stormwater system and eventually reach Dawson Creek. The remainder of the field has been in active grass or hay farming for many decades. Very distinct signatures can be seen on aerial imagery throughout the years and these areas coincide with the lowest topographical positions of the site. November 2021, inundation of 1-2 inches was observed in the low areas nearest the retaining wall and fence. During the April and May 2022 field visits, ponding was observed only in the lowest areas near the drainage basin. The Corps has determined Area A, Wetland A is not a water of the U.S.

Area A, Wetland B is located in the center of an active farmed field. Historically, the northern part of this field tended to retain water, but alterations, such as a realignment of Airport Road, removal of developed areas, stockpiling activities north of the field and roadside drainage ditch improvements along Airport Road have altered hydrology in the area; therefore, it does not retain water to the extent it did a decade ago. The Corps has determined Area A, Wetland B is not a water of the U.S.

Area A, Wetland B2 is a crescent shaped wetland. Given the history of this site, the wetland is likely artificially created from heavy machinery practice operations or the placement of an all-terrain vehicle/dirt bike track as evidenced by historical aerial imagery. Wetland B2 has a trench approximately 2 feet deep and was inundated with 4-5 inches with steep sides on the west, north and south sides. The Corps has determined Area A, Wetland B2 is not a water of the U.S.

[9] 88 FR 3004 (January 18, 2023)

Area C, Wetland E is a linear PEM wetland that does not have a continuous surface connection to a TNW. Wetland E is mapped on the local wetland inventory (LWI) maps as a linear open waterway area. National Hydrography Dataset layers and U.S. Geological Survey (USGS) topographic maps do not demarcate Wetland E. A culvert under Airport Road, observed during the Corps' May 2023 site visit drains waters from surrounding roadside ditches on the north side of Airport Road from both the southwest and southeast, and a roadside ditch on the south side of Airport Road all draining to Wetland E. During the delineator's April 2021 site visit, soils within Wetland E exhibited hydric characteristics in the lowest areas; however, they were uniform in the higher topographic areas. Soils lower in elevation, towards the intersection of NE Brookwood Parkway and Cornell Road had little to no redoximorphic features during the drier than normal year. At the time of the delineator's site visit vegetation was highly disturbed due to tillage and planting and not indicative of long-term, natural conditions. The reduced hydrologic indicators in the lower reach of Wetland E are indicative of tilling and subsurface infiltration modifications as well as a catchment basin that collects (i.e., storm drain) flows in the southeast portion of Area C approximately 300 feet from the Wetland E boundary. Wetland E, plot 3 near the catchment basin (outside of the Wetland E boundary) indicates wetland vegetation is present while hydric soils and hydrology are absent. Due to the tilling and drainage modifications in late fall 2021 this is a problematic situation resulting in lower resident time for hydrology between the Wetland E and catchment basin that drains to Dawson Creek near the intersection of NW Brookwood Parkway and Cornell Road; therefore, wetland indicators are more prevalent upgradient where roadside ditch flows converge with Wetland E and slowly drain downgradient to NW Brookwood Parkway. The Corps has determined Area C, Wetland E is not a water of the U.S.

Roadside Ditches 5 hydrology is primarily derived from overland flow from the roadbeds, stormwater flows, and Area C, Wetland E. Roadside Ditch 5 drains Area C, Wetland E and, as such, does not meet an exclusion pursuant to (b)(4). Roadside Ditch 5 does not possess relatively permanent flow and is neither a wetland nor a tributary. The Corps has determined Roadside Ditches 1-5 are not waters of the U.S.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

   a. Field visit Date: 23 May 2023

   b. Office Determination Date: 12 December 2023

c. Delineation Report Titled: Hillsboro Airport Wetland and Waters Delineation Report, August 2022, by PWS Consulting.

d. Corps navigable waters' study: Corps RegViewer, last accessed 15 November 2023.

e. USGS Hydrologic Atlas: Corps RegViewer, last accessed 15 November 2023.

f. National wetlands inventory map(s). Cite name: U.S. Fish and Wildlife Service Wetlands Mapper, last accessed 15 November 2023. https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

g. Local wetland inventory. Cite name: Oregon Waterways and Wetland Local Wetland Inventory, last accessed 15 November 2023. https://www.oregon.gov/dsl/ww/pages/inventories.aspx

h. U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Soil Survey. Citation: NRCS Web Soil Survey, last accessed 15 November 2023. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

i. A 1966 airport drainage plan named HIO 166 Drainage Plan, provided by requestor.

j. Hillsboro Airport Port of Portland Stormwater Pollution Control Plan dated 31 December 2021 last accessed 17 November 2023. https://cdn.portofportland.com/pdfs/StrmWtr-HIO-SWPollutionControlPlan.pdf

10. OTHER SUPPORTING INFORMATION. "On 12 December 2023 we coordinated this JD with EPA Region 10 and Corps HQs. EPA Region 10 and Corps HQ did not provide any response within the required timelines."

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

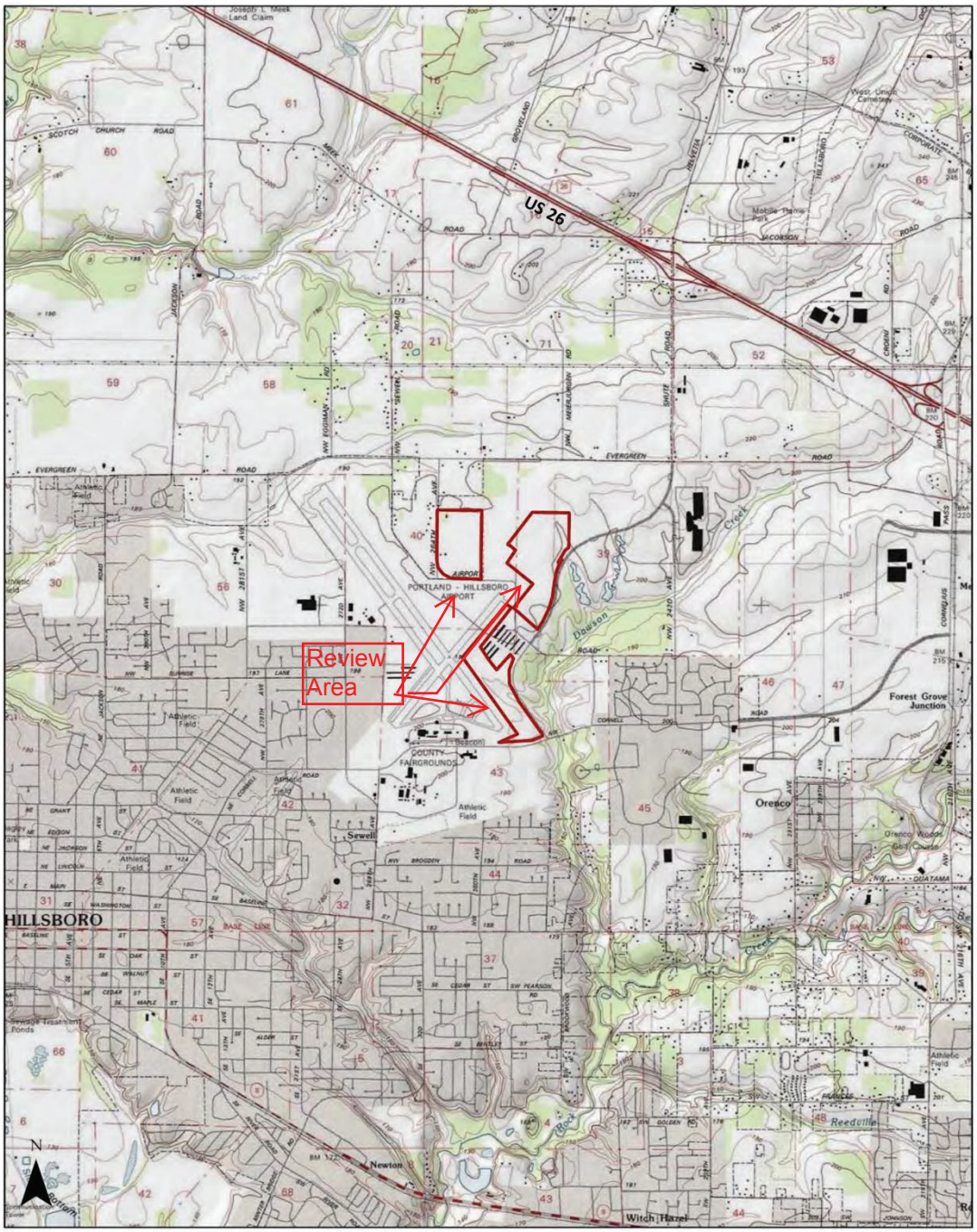


Figure 1: Review Area Location Map

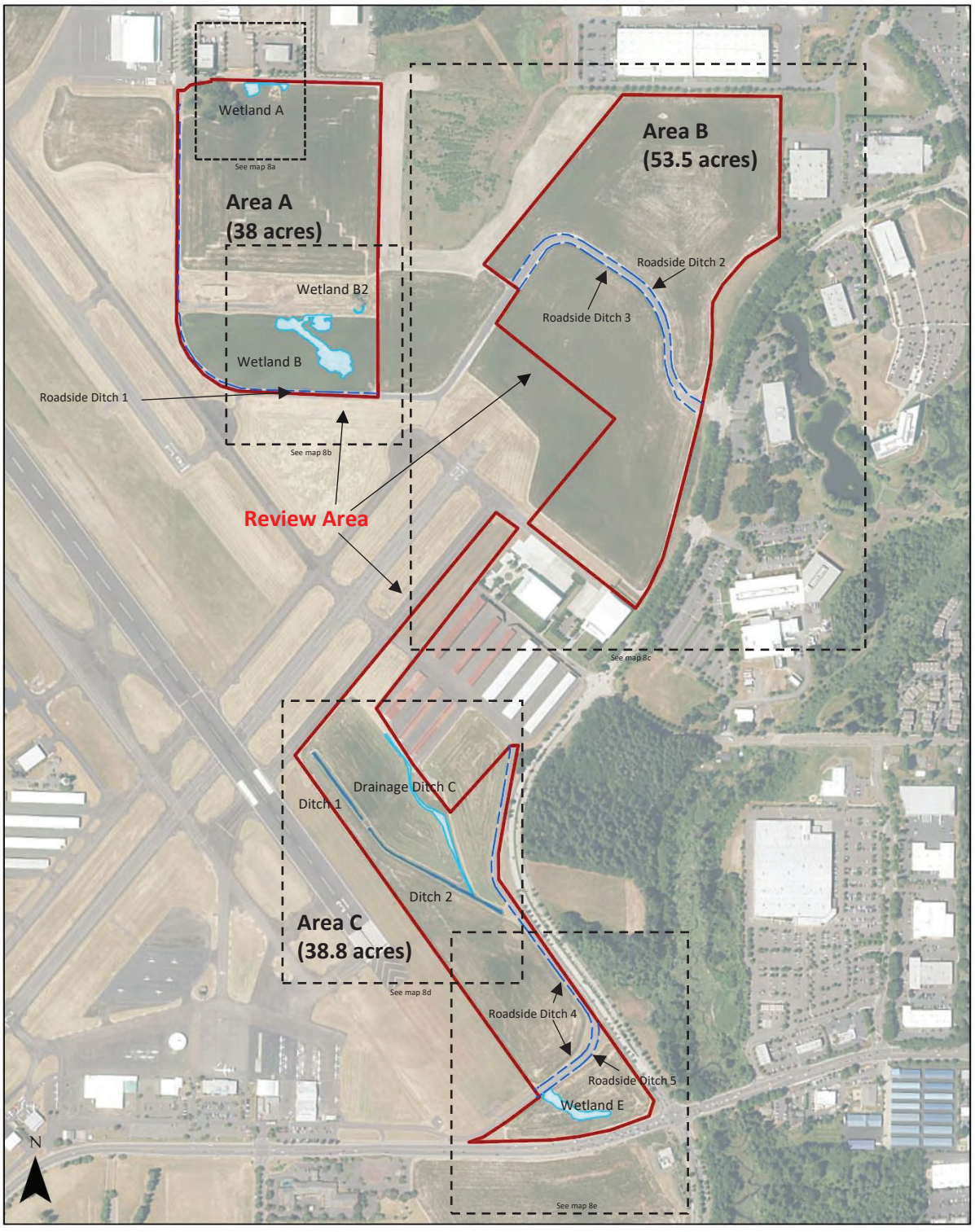


Figure 7: Study Areas

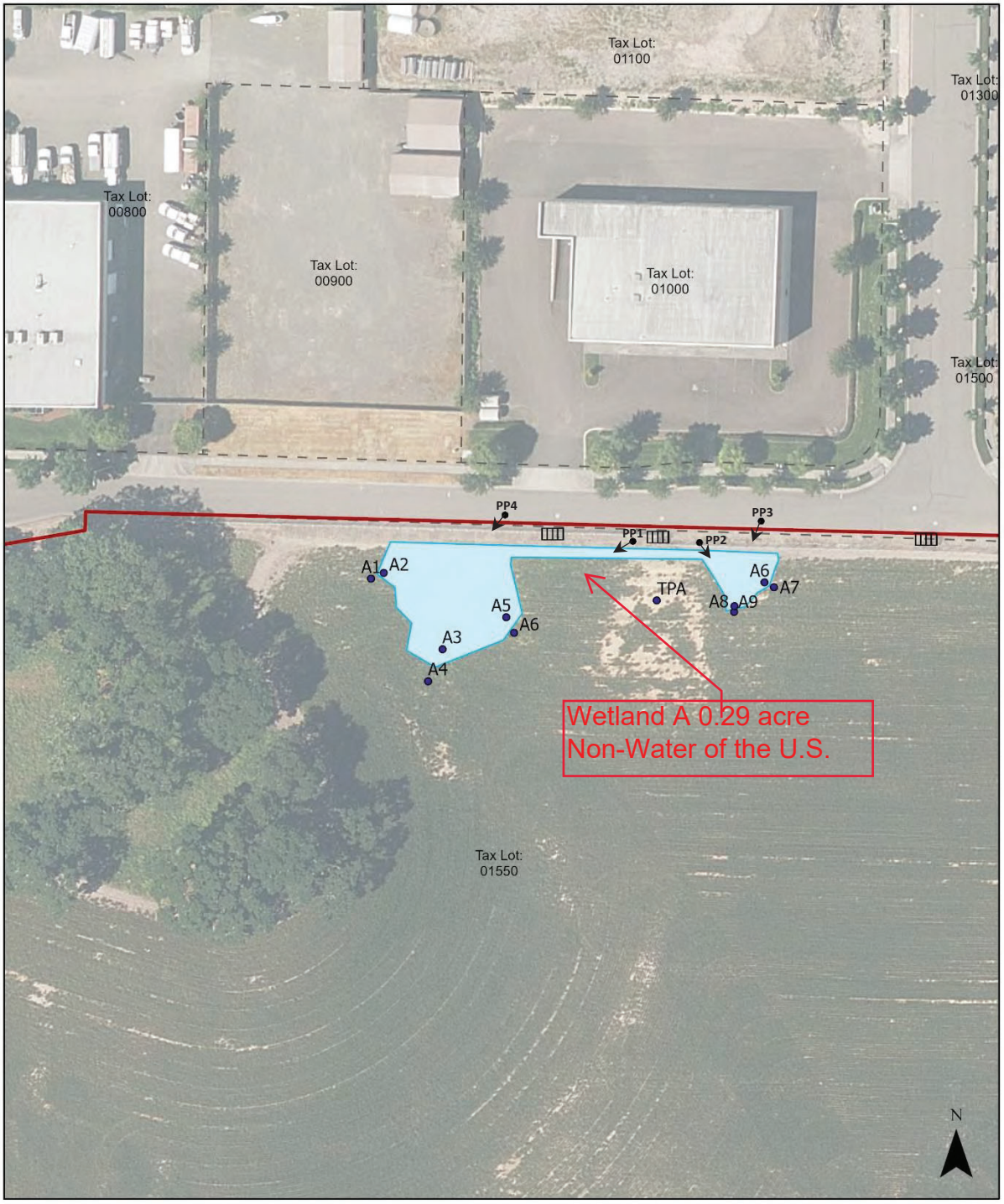


Figure 8a: Wetland A

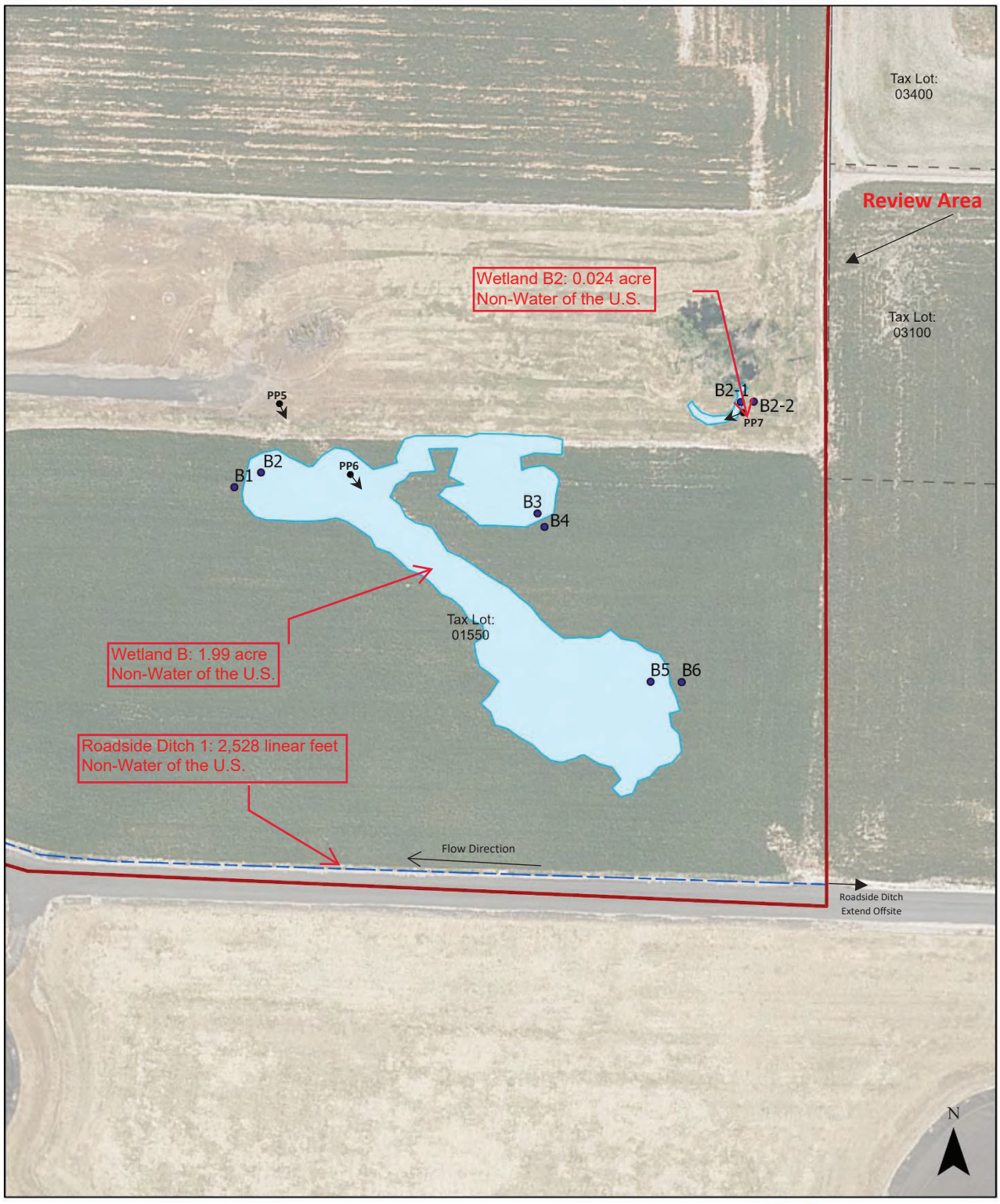


Figure 8b: Wetlands B and B2

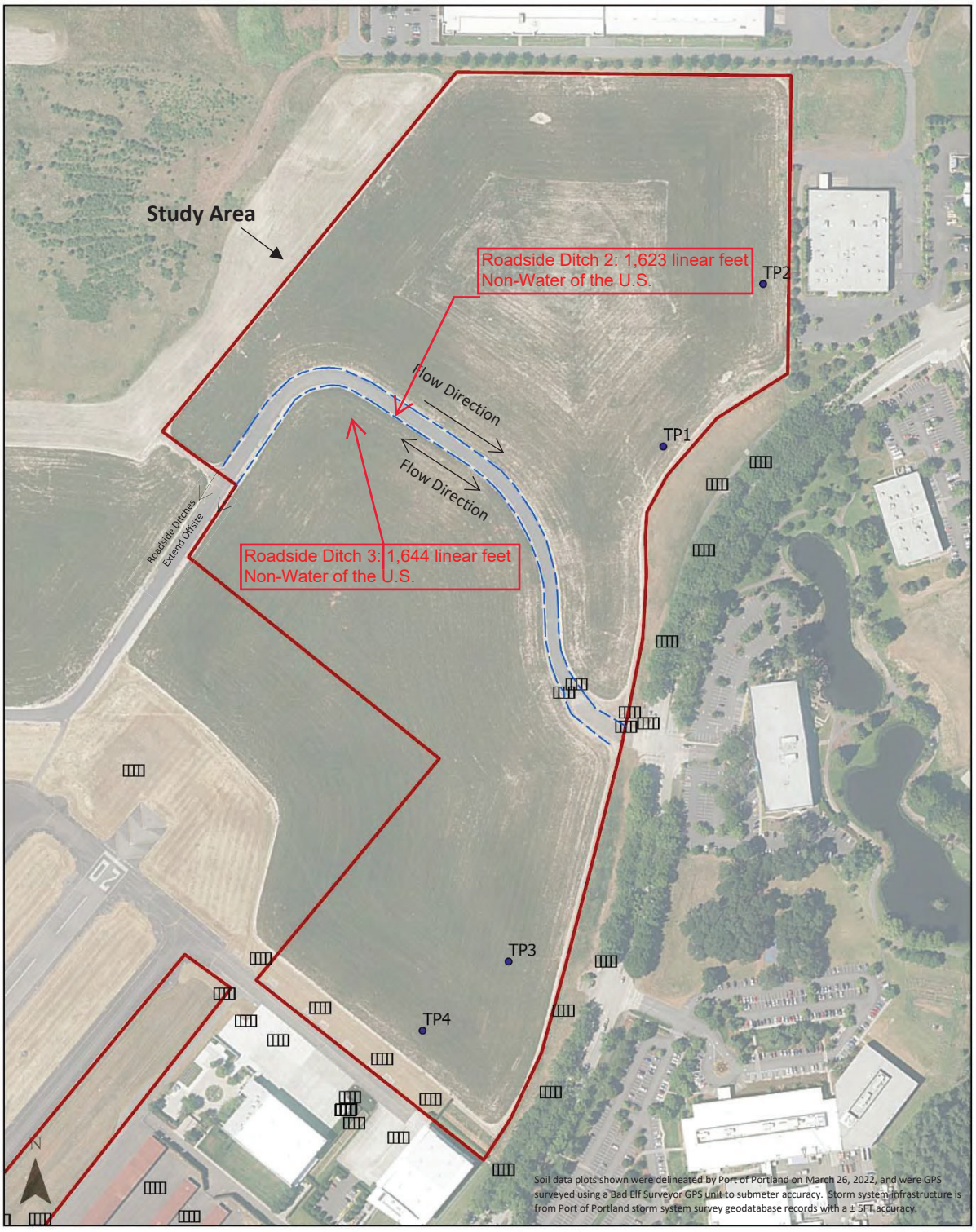


Figure 8c: Area B

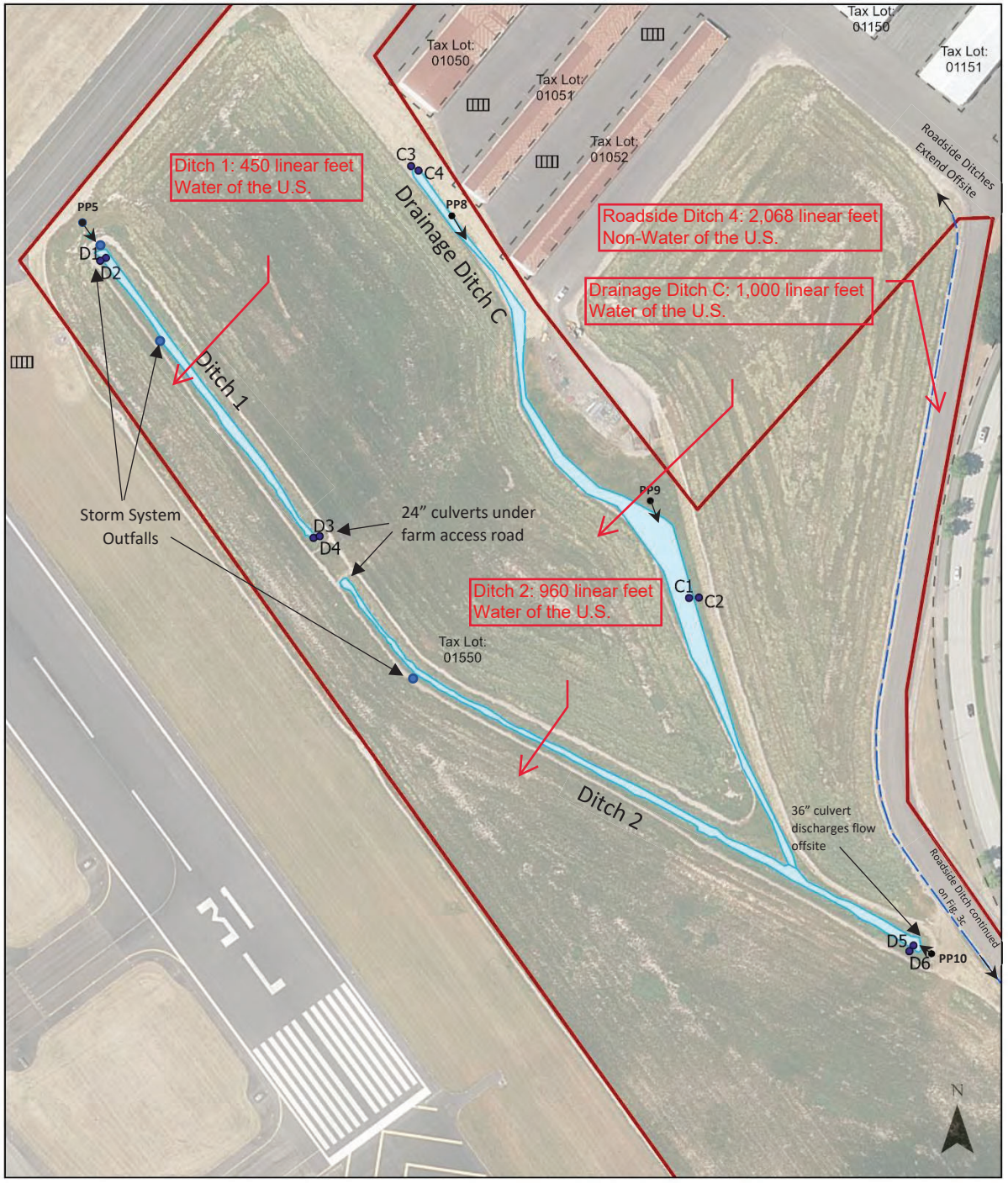


Figure 8d: Ditch 1, Ditch 2, Drainage Ditch C

Wetland boundaries shown were delineated by Port of Portland on March 25, 2022, and were GPS surveyed using a Bad Elf Surveyor GPS unit to submeter accuracy. Storm system infrastructure is from Port of Portland storm system survey geodatabase records with a ± 5FT accuracy.

Figure 8e: Wetland E

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Port of Portland	File Number: NWP-2022-442	Date: 4 January 2024
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL WITHOUT PREJUDICE	C
	PERMIT DENIAL WITH PREJUDICE	D
X	APPROVED JURISDICTIONAL DETERMINATION	E
	PRELIMINARY JURISDICTIONAL DETERMINATION	F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/ or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable
You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial
You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

- RECONSIDERATION: You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable
You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact: William D. Abadie, Chief Regulatory Branch U.S. Army Corps of Engineers, Portland District PO Box 2946 Portland, OR 97208-2946 Telephone: (503) 808-4373 Email: William.D.Abadie@usace.army.mil	If you have questions regarding the appeal process, or to submit your request for appeal, you may contact: Susan L. Baker, Regulatory Appeals Review Officer U.S. Army Corps of Engineers, Northwestern Division 1201 NE Lloyd Blvd., Suite 400 Portland, OR 97232 Telephone: (716) 578-9127 Email: Susan.L.Baker@usace.army.mil

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

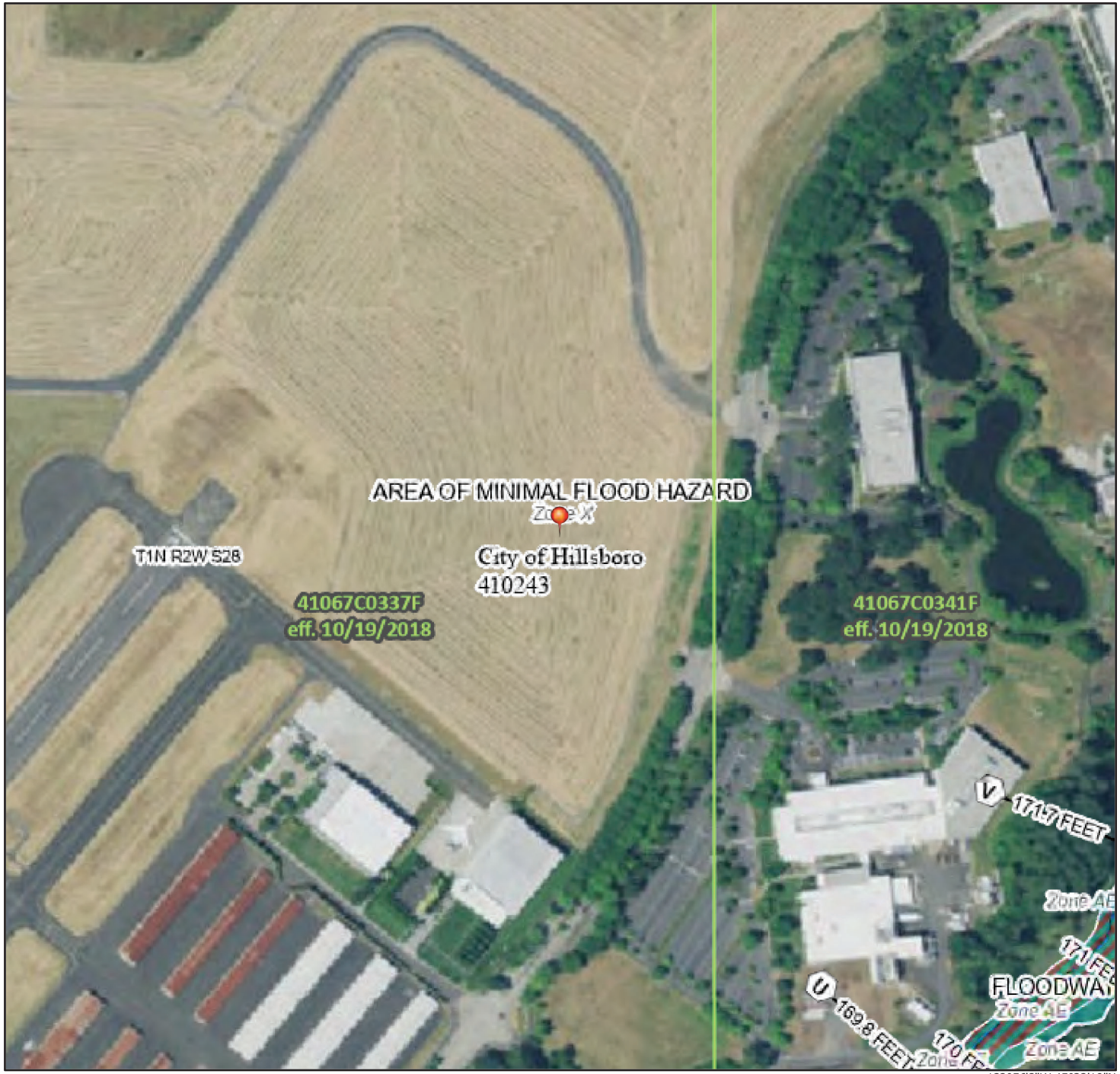
_____ Signature of appellant or agent.	Date:
Email address of appellant and/or agent:	Telephone number:

ATTACHMENT G:
FEMA FIRM

National Flood Hazard Layer FIRMette

FEMA

122°56'39"W 45°32'44"N



Feet
0 250 500 1,000 1,500 2,000

1:6,000

122°56'2"W 45°32'19"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/31/2024 at 5:13 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

ATTACHMENT H:
NRCS SOILS AND FARMLAND, 2020 CENSUS UA MAP

Soil Map—Washington County, Oregon
(HIO Sky Harbour Jet Hangers)

Map Scale: 1:2,520 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 35 70 140 210

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Washington County, Oregon
Survey Area Data: Version 24, Aug 28, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 26, 2022—Oct 11, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Amity silt loam	7.2	47.2%
15	Dayton silt loam	2.8	18.2%
41	Urban land	0.0	0.0%
45A	Woodburn silt loam, 0 to 3 percent slopes	5.3	34.6%
Totals for Area of Interest		**15.3**	**100.0%**

Farmland Classification—Washington County, Oregon
(HIO Sky Harbour Jet Hangers)

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

Farmland Classification—Washington County, Oregon
(HIO Sky Harbour Jet Hangers)

- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Points

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Washington County, Oregon
Survey Area Data: Version 24, Aug 28, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 26, 2022—Oct 11, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
2	Amity silt loam	Prime farmland if drained	7.2	47.2%
15	Dayton silt loam	Farmland of statewide importance	2.8	18.2%
41	Urban land	Not prime farmland	0.0	0.0%
45A	Woodburn silt loam, 0 to 3 percent slopes	All areas are prime farmland	5.3	34.6%
Totals for Area of Interest			**15.3**	**100.0%**

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The majority of soil attributes are associated with a component of a map unit, and such an attribute has to be aggregated to the map unit level before a thematic map can be rendered. Map units, however, also have their own attributes. An attribute of a map unit does not have to be aggregated in order to render a corresponding thematic map. Therefore, the "aggregation method" for any attribute of a map unit is referred to as "No Aggregation Necessary".

Tie-break Rule: Lower

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

My Map

Urban

2020 Urban Areas

ACS 2024

2020 Urban Areas

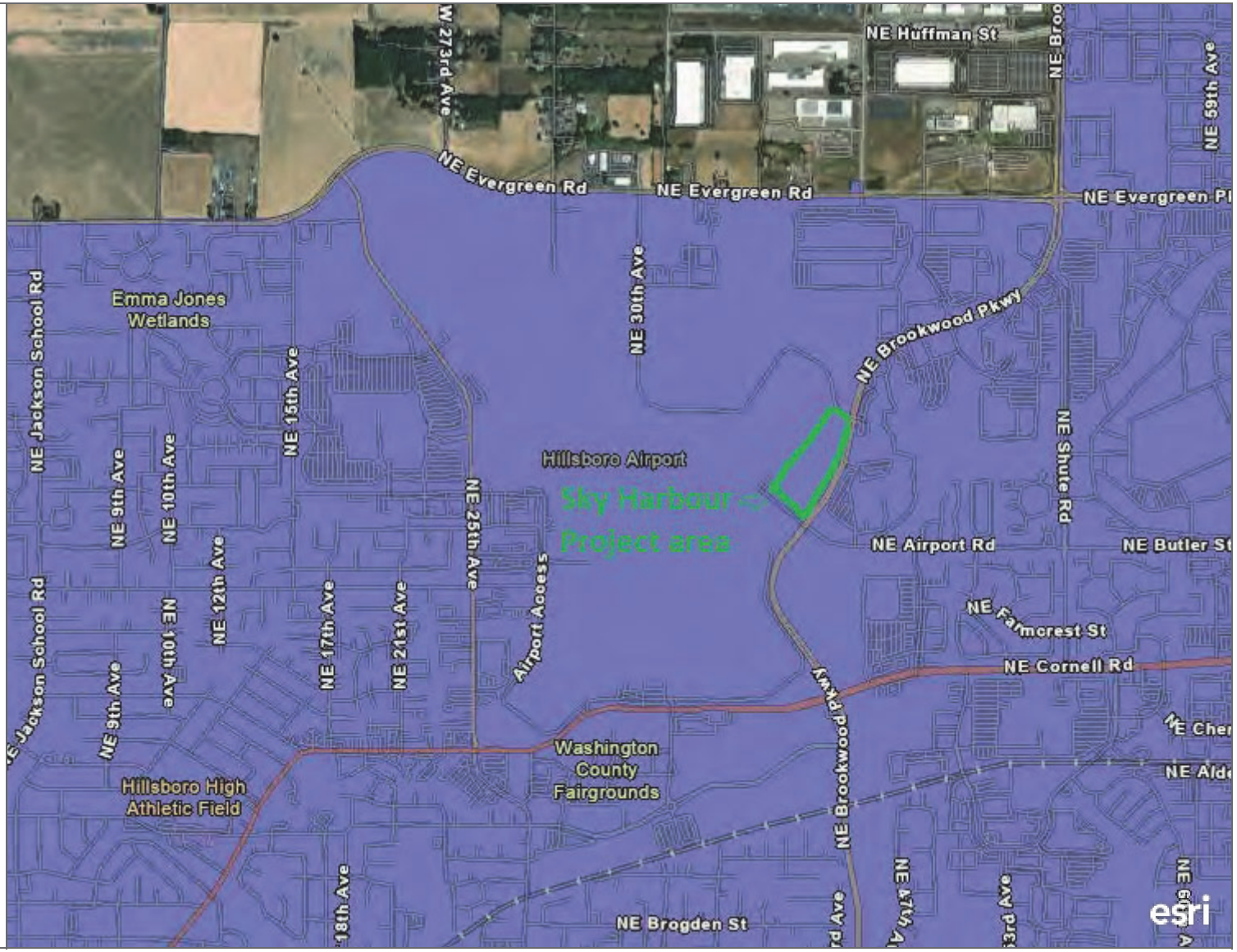
ACS 2023

2020 Urban Areas

Census 2020

2020 Urban Areas - Corrected

2020 Urban Areas



Source: U.S. Census Bureau | Maxar | Esri Community Maps Contributors, City of Hillsboro, Oregon, Oregon Metro, Oregon State Parks, State of Oregon GEO, WA State Parks GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

FINAL

Hillsboro Airport (HIO)

Documented Categorical Exclusion for

Sky Harbour Jet Hangars

February 26, 2026

Prepared by:

Port of Portland

Table of Contents

APPENDIX A. DOCUMENTED CATEX

Airport sponsors may use this form for projects eligible for a categorical exclusion (CATEX) that have greater potential for extraordinary circumstances or that otherwise require additional documentation, as described in the FAA Order 1050.1 (current version) and FAA Order 5050.4B (collectively, FAA Environmental Orders).

To request a CATEX determination from the FAA, the sponsor should review potentially affected environmental resources, review the requirements of the applicable special purpose laws, and consult with the Airports District Office or Regional Airports Division Office staff about the type of information needed. The form and supporting documentation should be completed in accordance with the provisions of FAA Order 5050.4B, paragraph 302b, and submitted to the appropriate FAA Airports District/Division Office. The CATEX cannot be approved until all information and documentation is received and all requirements have been fulfilled.

Name of Airport, LOC ID, location:

Hillsboro Airport (HIO)
3355 Cornell Rd
Hillsboro, Oregon 97124

Project Title:

HIO Sky Harbour Jet Hangars

Give a brief, but complete description of the proposed project, including all project components, justification, estimated start date, and duration of the project. Include connected actions necessary to implement the proposed project (including but not limited to moving NAVAIDs, change in flight procedures, haul routes, new material or expanded material sources, staging or disposal areas). Attach a sketch or plan of the proposed project. Photos can also be helpful.

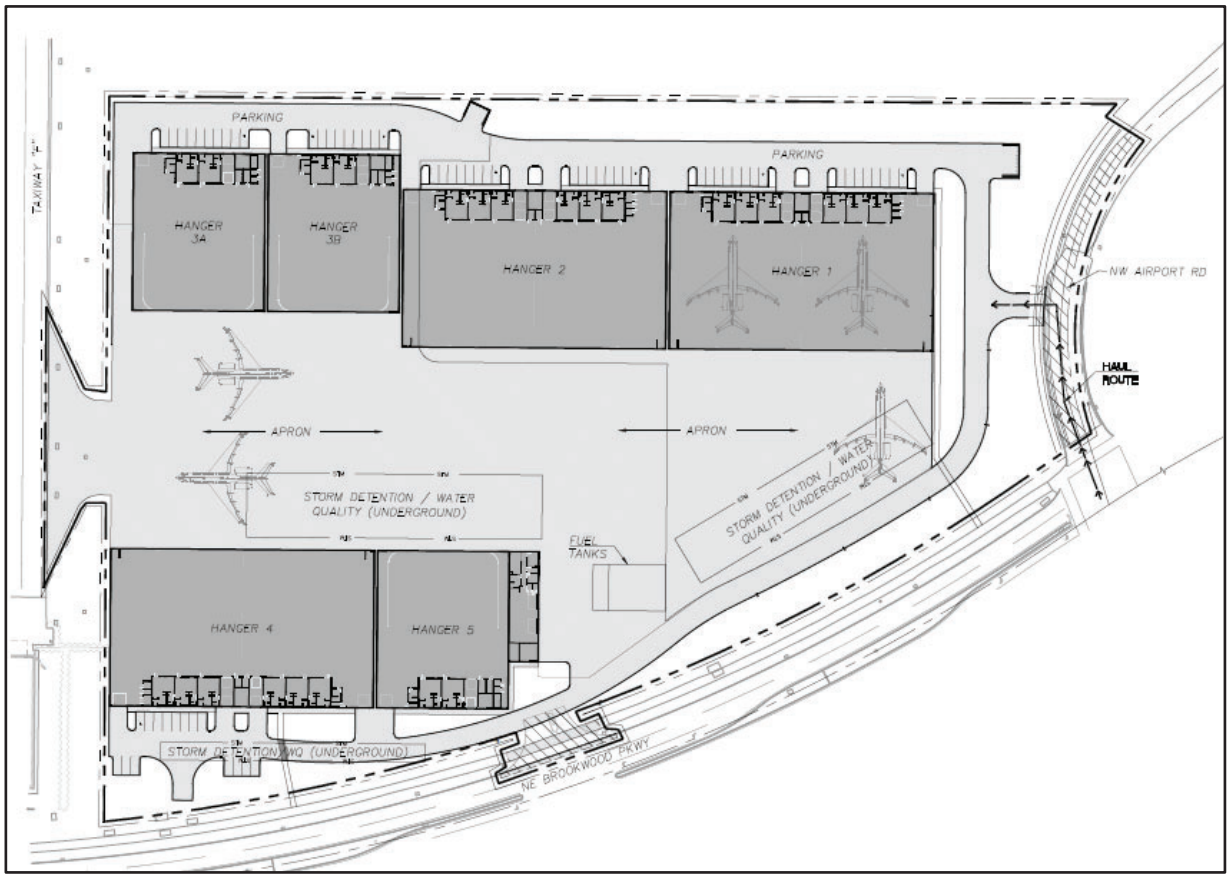
The 934-acre Portland-Hillsboro Airport (Airport or HIO) is classified as a General Aviation – Reliever Airport in Washington County, Oregon. HIO is owned and operated by the Port of Portland (Port). As the second busiest airport in Oregon, the Airport is home to corporate flight departments, aircraft charter services for business travel, air ambulance services, TV news helicopters, flight schools, aircraft maintenance and repair operations, a corporate air shuttle service, and a U.S. Customs and Border Protection office for international flights. More than 25 businesses operate at HIO.

Sky Harbour, a Port tenant, is proposing a development project at HIO on land that is currently undeveloped. Sky Harbour provides facilities for the corporate aviation sector. The proposed development would utilize a parcel of land in the northeast portion of the airport. The development would include aircraft hangars with office space, aircraft ramp, above-ground fueling facilities, ground services equipment support, stormwater treatment and hydromodification mitigation, and personal vehicle facilities. The development would connect with two existing intersections on NE Brookwood

Parkway for landside access and utilize Taxiway F for its airfield connection by constructing a new taxiway connection.

In total, the HIO Sky Harbour Development project will construct 11.09 acres of new impervious surface of which 6.54 acres are pollution generating (PGIS) and 4.55 acres are non-pollution generating buildings. There will be 0.24 acres of impervious surface removal for a net increase of 6.30 acres of PGIS. The deepest excavation is expected to be 12 feet. The proposed improvements are shown below and in Appendix A.

Post-construction water quality treatment will be provided for new PGIS, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated runoff will then flow overland, or via stormwater conveyance system, to Dawson Creek.



Give a brief, but complete, description of the proposed project area. Include any unique or natural features within or surrounding airport property.

Hillsboro Airport is located in the City of Hillsboro, Washington County, Oregon. The Airport is bound by NE Evergreen Rd to the north, NE Cornell Rd to the south, NE 25th Ave to the west and NE Brookwood Parkway to the east. HIO is located approximately 2 miles northeast of the city center of Hillsboro, within the city limits. The airport, classified as an industrial land use, is surrounded by roads. Adjacent land uses include industrial, commercial, agriculture, and public uses.

Natural features in the project vicinity include Dawson Creek which is located across Brookwood Parkway, about 1,500 feet to the east. Flow ultimately drains to the Tualatin River, which is located approximately 3.5 miles south of the project site. The parcel to be developed was previously farmed for grass seed. Existing piped stormwater infrastructure is present adjacent to the parcel.

Identify the appropriate CATEX paragraph(s) from the current version of Order 1050.1 or 5050.4B (Tables 6-1 and 6-2) that apply to the project. Describe if the project differs in any way from the specific language of the CATEX or examples given as described in the Order.

B-2.4. Categorical Exclusions for Facility Siting, Construction, and Maintenance. **(F)** Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval, or FAA construction or limited expansion of accessory on-site structures, including storage buildings, garages, hangars, t-hangars, small parking areas, signs, fences, and other essentially similar minor development items. **(u)** Approval of an ALP for installation of on-airport, aboveground storage tanks or underground storage tanks (USTs) on airport property where the FAA has authority to approve or disapprove an ALP or FAA installation, repair, or replacement of USTs and aboveground storage tanks at FAA facilities. These actions must comply with FAA Order 1050.15, Fuel Storage Tanks at FAA Facilities, and EPA regulations, 40 CFR parts 112, 280, and 281 as applicable. This CATEX includes the closure and removal of a fuel storage tank, and the remediation of contaminants resulting from a fuel storage tanks at an FAA facility or on an airport where the FAA has ALP approval or disapproval authority of the project, provided those actions occur in accordance with the order and the regulations noted above. The establishment of bulk fuel storage and associate distribution system is not within the scope of this CATEX. Those actions are subject to § 1.5(c)(5) of this Order. (ATO, ARP)

The circumstances FAA must consider when documenting a CATEX are listed below along with each of the impact categories related to the circumstance. Use FAA Environmental Orders and the Desk Reference for Airports Actions, as well as other guidance documents to assist you in determining what information needs to be provided about these impact categories to address potential impacts. Keep in mind that FAA must analyze both construction and operational impacts. Indicate whether or not there would be any effects under the particular impact category and, if needed, cite available references to support these conclusions. Additional analyses and inventories can be attached or cited as needed.

5-2.b(1) National Historic Preservation Act (NHPA) resources

	YES	NO
Are there historic/cultural resources listed (or eligible for listing) on the National Register of Historic Places located in the Area of Potential Effect? If yes, provide a record of the historic/cultural resources located therein and check with your local Airports Division/District Office to determine if a Section 106 finding is required. Archaeological Investigations Northwest (AINW) conducted an archaeological survey of the project APE in October and December of 2025 which included background review, pedestrian survey and excavations of 24 shovel tests. AINW identified no archaeological resources, and no historic-period buildings or structures within the APE (AINW 2026, Attachment B). Based on the results of the cultural resource survey, AINW recommended a finding of "No Historic Properties Affected" for the Sky Harbour Development project. The FAA consulted with SHPO (Case No. 26-0320) and the Tribes regarding the project. No comments were received during the 30-day comment period.	☐	☒
Does the project have the potential to cause effects? If yes, describe the nature and extent of the effects.	☐	☒
Is the project area undisturbed? If not, provide information on the prior disturbance (including type and depth of disturbance, if available) The project area was farmland and disturbed regularly for the production of grass seed. Evidence of ground disturbance was reported by AINW (2026, Attachment B).	☐	☒
Will the project impact tribal land or land of interest to tribes? If yes, describe the nature and extent of the effects and provide information on the tribe affected. Consultation with their THPO or a tribal representative along with the SHPO may be required. The project would not impact tribal land. If human remains are uncovered due to excavations, all work will be stopped immediately, the project area would be secured and protected with a 300-foot buffer, remains would be covered, and the proper entities would be notified, in accordance with the IDP (Attachment C). Work would not resume in the buffered area until a plan was developed and carried out between SHPO, state police, the Legislative Commission on Indian Services (LCIS) and the appropriate Native American tribes.	☐	☒

The FAA consulted with SHPO (Case No. 26-0320) and the Tribes regarding the project. No comments were received during the 30-day comment period.		

5-2.b(2) Department of Transportation Act Section 4(f) and 6(f) resources

	YES	NO
Are there any properties protected under Section 4(f) (as defined by FAA Order 1050.1) in or near the project area? This includes publicly owned parks, recreation areas, and wildlife or waterfowl refuges of national, state or local significance or land from a historic site of national, state or local significance. There are no Section 4(f) properties in or near the project footprint or the Port of Portland's property boundary.	☐	☒
Will project construction or operation physically or constructively "use" any Section 4(f) resource? If yes, describe the nature and extent of the use/impacts, and why there are no prudent and feasible alternatives. See 5050.4B Desk Reference Chapter 7.	☐	☒
Will the project affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds? If so, please explain, if there will be impacts to those properties.	☐	☒

5-2.b(3) Threatened or Endangered Species

	YES	NO
Are there any federal or state listed endangered, threatened, or candidate species or designated critical habitat in or near the project area? This includes species protected by individual statute, such as the Bald Eagle. The USFWS IPaC database (USFWS 2024) was reviewed to determine endangered, threatened, or candidate species within the project area (see Attachment D, USFWS IPaC Resource List). Critical habitat for the following species has been designated but does not overlap with the project area, and no suitable habitat exists in the project area: Marbled Murrelet (*Brachyramphus marmoratus*), Northern Spotted Owl (*Strix occidentalis caurina*), Streaked Horned Lark (*Eremophila alpestris strigata*), Fender's Blue Butterfly (*Icaricia icarioides fenderi*), Kincaid's Lupine (*Lupinus sulphureus* ssp. *Kincaidii*), and Willamette Daisy (*Erigeron decumbens*). One species was listed where critical habitat has been proposed but does not overlap with the project area: Monarch Butterfly (*Danaus plexippus*); and one species was listed where no critical habitat has been designated: Northwestern Pond Turtle (*Actinemys marmorata*). No known presence, nesting areas, or critical habitat for these protected species are	☐	☒

located within the project area (Attachment D). Dawson Creek, located approximately 1,500 feet east of the project area, is not designated Critical Habitat and there are no protected salmon species present. The nearest waterway with ESA listed fish is the Tualatin River located 3.5 miles to the south of the airport. Salmon species known to occur in the Tualatin River include Steelhead (*Oncorhynchus mykiss*) [Upper Willamette River DPS]. NOAA 2025.		
Does the project affect or have the potential to affect, directly or indirectly, any federal or state-listed, threatened, endangered or candidate species, or designated habitat under the Endangered Species Act? If yes, Section 7 consultation between the FAA and the US Fish & Wildlife Service, National Marine Fisheries Service, and the appropriate state agency will be necessary. Provide a description of the impacts and how impacts will be avoided, minimized, or mitigated. Provide the Biological Assessment and Biological Opinion, if required. Section 7 consultation between the FAA and NMFS (WCRO-2024-02704) was initiated in April 2024. The batched Biological Assessment (Batch #2) covered 12 projects including five at HIO and seven at PDX. NMFS issued a Biological Opinion for Batch #2 in April of 2025 (Attachment E) with a no-jeopardy conclusion. The Incidental Take Statement within the Biological Opinion requires that Reasonable and Prudent Measures are taken including Terms and Conditions meant to minimize incidental take. All stormwater flowing from the project area would be treated before entering surrounding surface waters and would not alter floodplain elevations or flood storage within the project area. The nearest waterway with ESA listed fish is the Tualatin River located 3.5 miles to the south of the airport (NOAA 2025). The project will result in 6.54 acres of new PGIS. Water quality treatment will be provided for new PGIS, through vegetated filter strips and underground detention systems, subject to applicable regulations. The treated runoff will then flow overland, or via catch basin, to Dawson Creek.	☒	☐
Does the project have the potential to take birds protected by the Migratory Bird Treaty Act? Describe steps to avoid, minimize, or mitigate impacts (such as timing windows determined in consultation with the US Fish & Wildlife Service). No. The proposed hanger project will occur adjacent to existing airport infrastructure and is not expected to result in the potential take of birds protected by the MBTA. The Port's Wildlife Hazard Management program actively discourages nesting on and around the aircraft movement areas as outlined in the FAA Approved Wildlife Hazard Management Plan (HIO WHMP, Port of Portland 2015). Nests found on the airfield are removed following the conditions in the Port's Airport Depredation permit. All takes are reported to the US Fish & Wildlife Service in the annual permit report. Impacts to some nesting birds are avoided when appropriate based on the risk to aircraft safety. Appropriate timing of construction and site clearance by a qualified biologist will help to avoid and minimize impacts to migratory birds.	☐	☒

5-2.b (4) Other Resources
Items to consider include:

a. Fish and Wildlife Coordination Act	**YES**	**NO**
Does the project area contain resources protected by the Fish and Wildlife Coordination Act? If yes, describe any impacts and steps taken to avoid, minimize or mitigate impacts.	☐	☒
b. Wetlands and Other Waters of the U.S.	**YES**	**NO**
Are there any wetlands or other waters of the U.S. in or near the project area? A wetland delineation conducted in April 2022 identified one roadside ditch that was found non-jurisdictional as per the Oregon Department of State Lands (DSL) concurrence letter WD # 2022-0508 and USACE AJD dated January 4, 2024 (see Attachment F, Agency Correspondence for Wetlands). Vegetated corridor (VC) is regulated by local jurisdiction Clean Water Services (CWS). CWS requirements for site development include enhancing remaining VCs on the development site to meet CWS standards for "good" VC condition whether they are impacted or not. All the VC in this project area have already been enhanced offsite and this project will not trigger additional enhancement.	☐	☒
Has wetland delineation been completed within the proposed project area? If yes, please provide U.S. Army Corps of Engineers (USACE) correspondence and jurisdictional determination. If delineation was not completed, was a field check done to confirm the presence/absence of wetlands or other waters of the U.S.? If no to both, please explain what methods were used to determine the presence/absence of wetlands. Yes, a wetland delineation was completed in April 2022. No wetlands or waters were identified in the project area. The USACE issued an AJD dated January 4, 2024 (see Attachment F, Agency Correspondence for Wetlands).	☒	☐
If wetlands are present, will the project result in impacts, directly or indirectly (including tree clearing)? Describe any steps taken to avoid, minimize or mitigate the impact. No wetlands or trees are present on the project site.	☐	☒
Is a USACE Clean Water Act Section 404 permit required? If yes, does the project fall within the parameters of a general permit? If so, which general permit? No wetlands will be impacted by the project.	☐	☒

c. Floodplains	YES	NO
Will the project be located in, encroach upon or otherwise impact a floodplain? If yes, describe impacts and any agency coordination or public review completed including coordination with the local floodplain administrator. Attach the FEMA map if applicable and any documentation. No impacts to floodplains will result from this project. The project is located within FEMA FIRM map 41067C0337F in Flood Zone X (FEMA 2024), which is considered an "area of minimal flood hazard" (see Attachment G, FEMA FIRM Panel).	☐	☒

d. Coastal Resources	YES	NO
Will the project occur in or impact a coastal zone as defined by the State's Coastal Zone Management Plan? If yes, discuss the project's consistency with the State's CZMP. Attach the consistency determination if applicable. The proposed project is not located in a designated coastal zone. The Oregon Coastal Management Program identifies the nearest Coastal Zone Management Area as approximately 20 miles west of the airport (Oregon Coastal Management Program, 2025).	☐	☒
Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service? The proposed project is not located near, nor will it impact, coastal barriers (USFWS 2025).	☐	☒
e. National Marine Sanctuaries	**YES**	**NO**
Is a National Marine Sanctuary located in the project area? If yes, discuss the potential for the project to impact that resource. There are no National Marine Sanctuaries located near the project site. The nearest sanctuary, the Olympic Coast National Marine Sanctuary, is located approximately 130 miles northwest of the project site (NOAA 2025).	☐	☒
f. Wilderness Areas	**YES**	**NO**
Is a Wilderness Area located in the project area? If yes, discuss the potential for the project to impact that resource. The proposed project is not located in or near a designated wilderness area. The nearest Wilderness Area is the Mark O. Hatfield Wilderness Area, which is approximately 40 miles east of the project area (Wilderness Connect 2025).	☐	☒

g. Farmland	YES	NO
Is there prime, unique, state or locally important farmland in/near the project area? Describe any significant impacts from the project. The United States Department of Agricultural Natural Resources Conservation Service Web Soil Survey (NRCS 2024) identifies the presence of four different types of soil in the project area: Amity Silt Loam (prime farmland if drained), Dayton silt loam (farmland of statewide importance), Urban Land, and Woodburn silt loam, 0 to 3 percent slopes (all areas are prime farmland). See Attachment H, NRCS Farmland and Soils Maps. This project will convert prime farmland and expand airport infrastructure. However, according to the 2020 Census Urban Area Map, the project area falls within a designated Urban Area which is exempt from the Farmland Protection Policy Act (FPPA). See Attachment H, 2020 Census UA Map.	☒	☐
Does the project include the acquisition and conversion of farmland? If farmland will be converted, describe coordination with the US Natural Resources Conservation and attach the completed Form AD-1006. This project will convert prime farmland and expand airport infrastructure. However, as per the 2020 census data, the project area falls within a designated Urban Area (UA) which is exempt from the Farmland Protection Policy Act (FPPA). Lands identified as UA on Census Bureau maps are not subject to FPPA and the completion of the AD-1006 form is not required. See Attachment H.	☒	☐
h. Energy Supply and Natural Resources	**YES**	**NO**
Will the project change energy requirements or use consumable natural resources either during construction or operations? The project would temporarily change energy requirements and use consumable natural resources during construction. Energy and natural resources temporarily used during construction include water, fuel, electricity, concrete, asphalt, steel, and wood products. Water used for dust suppression during construction would either be trucked in or obtained from an on-site source. Fuel for construction equipment would be obtained from off-site sources. Once constructed the new facility would include aircraft hangers with office space, aircraft ramp, above-ground fueling facilities, ground service equipment support, stormwater treatment, and personal vehicle facilities.	☒	☐
Will the project change aircraft/vehicle traffic patterns that could alter fuel usage either during construction or operations? Vehicle traffic may temporarily increase at the airport during construction and personal vehicle parking is planned for the facility. These traffic disruptions are not expected to cause noticeable change in fuel consumption. Since the project relocates existing services at HIO, fuel usage is not expected to change	☒	☐

post-construction. Once the new facility is complete, vehicle traffic patterns will shift slightly at NE Brookwood Parkway and NW Airport Road as staff and clientelle access the facility during non-peak hours. Taxway F is already in use for existing, nearby hangars. Aircraft patterns will remain the same other than using Taxiway F to access the new hangars.		
i. Wild and Scenic Rivers	**YES**	**NO**
Is there a river on the Nationwide Rivers Inventory, a designated river in the National System, or river under State jurisdiction (including study or eligible segments) near the project? No wild or scenic rivers exist in or near HIO. The nearest designated Wild and Scenic Rivers include a segment of the Sandy River located approximately 28 miles east of the project area and would not be impacted by the proposed project (National Wild and Scenic Rivers System 2025). The closest river on the Nationwide Rivers Inventory is the Tualatin River located approximately 3.5 miles to the south (NPS 2025).	☐	☒
Will the project directly or indirectly affect the river or an area within ¼ mile of its ordinary high water mark? No rivers are located within ¼ mile of the project area. (Tualatin River located approximately 3.5 miles to the south of the project area and the Willamette River is located approximately 12 miles northeast of the project area).	☐	☒
j. Solid Waste Management	**YES**	**NO**
Does the project (either the construction activity or the completed, operational facility) have the potential to generate significant levels of solid waste? If so, discuss how these will be managed. The Port has a 90% or greater landfill waste diversion goal at all Port facilities. Solid waste produced during demolition and construction will be minimized, reused, and recycled according to the Port's Port-Wide Waste Management and Minimization Procedures (revised 2014). A significant portion of the waste from this project is expected to be pavement material which is easily recycled in the region. Hillsboro Landfill is located approximately 3.5 miles southwest of Airport property and has capacity for items that are not able to be recycled from this project.	☐	☒

5-2.b(5) Disruption of an Established Community

	YES	NO
Will the project disrupt a community, planned development or be inconsistent with plans or goals of the community? The proposed project is located entirely within Airport boundaries and is consistent with the 2020 HIO Master Plan Update. The project would not disrupt a community, planned development, or be inconsistent with area land use plans.	☐	☒

Are residents or businesses being relocated as part of the project?	☐	☒

5-2.b(6) Surface Transportation

	YES	NO
Will the project cause a significant increase in surface traffic congestion or cause a degradation of level of service provided? No. The total amount of traffic generated by the project will be minimal and will occur primarily during non-peak periods. Since the project relocates existing services at HIO, there will be no change in the number of trips generated. No degradation of level of service at the airport is anticipated during construction.	☐	☒
Will the project require a permanent road relocation or closure? If yes, describe the nature and extent of the relocation or closure and indicate if coordination with the agency responsible for the road and emergency services has occurred. The proposed project would not require a permanent road relocation or closure.	☐	☒

5-2.b(7) Noise

	YES	NO
Will the project result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix? This project would not increase aircraft operations, nighttime operations, or change the aircraft fleet mix at the airport.	☐	☒
Will the project cause a change in airfield configuration, runway use, or flight patterns either during construction or after the project is implemented? No. There will be no change to airfield configuration, runway use, or flight patterns during or after construction of the facilities.	☐	☒
Does the forecast exceed 90,000 annual propeller operations, 700 annual jet operations or 10 daily helicopter operations or a combination of the above? If yes, a noise analysis may be required if the project would result in a change in operations. There were over 150,000 total flight operations at HIO in 2022. Since this project relocates existing air services at HIO, the project would not result in a change in the number of or type of operations. Therefore, a noise analysis is not required.	☒	☐
Has a noise analysis been conducted, including but not limited to generated noise contours, a specific point analysis, area equivalent method analysis, or other screening method. If yes, provide that documentation. No noise analysis has been prepared for this proposed action because no change to aircraft fleet mix, number of operations, or flight paths are proposed.	☐	☒

Could the project have a significant impact (DNL 1.5 dB or greater increase) on noise levels over noise sensitive areas within the 65+ DNL noise contour? The proposed project would not affect aircraft noise exposure. Temporary construction related noise impacts may occur within airport boundaries. Operational noise would not change because of this project.	☐	☒

5-2.b(8) Air Quality

	YES	NO
Is the project located in a Clean Air Act non-attainment or maintenance area? Currently, HIO is located in an airshed that meets all the NAAQS air quality standards and is in attainment. (United States EPA, Nonattainment Area Exposure Report, 2023).	☐	☒
If yes, is it listed as exempt, presumed to conform or will emissions (including construction emissions) from the project be below *de minimis* levels (provide the paragraph citation for the exemption or presumed to conform list below, if applicable) Is the project accounted for in the State Implementation Plan or specifically exempted? Attach documentation. The Oregon Department of Environmental Quality (DEQ), after consultation with EPA Region 10, informed the Port of Portland that conformity does not apply (Oregon DEQ, 2017 email to Port).	☐	☒
Does the project have the potential to increase landside or airside capacity, including an increase of surface vehicles? The landside and airside vehicles during construction and operation has been assessed and it's not anticipated that the proposed project would create temporary or permanent emissions that would violate local, State, Tribal, or Federal air quality standards. Additionally, the State of Oregon's indirect source rules are intended to prevent vehicular traffic from causing exceedances of the NAAQS by limiting parking spaces. The project includes a new surface parking lot which triggers a review of such activities. The Port of Portland will undergo a review to determine applicability to the Indirect Source Review and obtain a permit if needed.	☐	☒
Could the project impact air quality or violate local, State, Tribal or Federal air quality standards under the Clean Air Act Amendments of 1990 either during construction or operations? The proposed development is not expected to create temporary or permanent emissions that would violate local, State, Tribal, or Federal air quality standards. Construction of the proposed project would result in temporary emissions increases associated with construction equipment and vehicles. Under General Conformity, if total net emissions of the proposed airport action or alternative analyzed are below de minimis thresholds, no further air quality assessment is needed. While the Portland/Vancouver airshed is in attainment with the NAAQS and General Conformity does not apply, the significance criteria stablished under the General Conformity	☐	☒

regulations of 100 tons per year (tons/year) for criteria pollutants/precursors serves as a comparative standard to evaluate the level of significance under NEPA. The FAA's Aviation Emissions and Air Quality Handbook (2024) provides guidance for assessing the environmental impact of NAAQS in relation to Federal actions at airports. According to this guidance, the FAA has identified key project parameters (screening criteria) that can serve as proxies for estimating emissions. If a project falls below these screening thresholds, the FAA may conclude that, for NEPA purposes, the action is not expected to cause a significant air quality impact, as it is unlikely to result in pollutant concentrations exceeding a NAAQS. This project was evaluated using those screening criteria, which were not exceeded; therefore, a more detailed emissions inventory was not required to demonstrate that the project's air quality impact is de minimis. Therefore, it can be concluded that for NEPA purposes, the project will not cause a significant air quality impact since it is unlikely the pollutant concentrations would exceed the NAAQS.		

5-2.b (9) Water Quality

	YES	NO
Are there water resources within or near the project area? These include groundwater, surface water (lakes, rivers, etc.), sole source aquifers and public water supply. If yes, provide a description of the resource, including the location (distance from project site, etc.). No surface waters, sole source aquifers, or public water supplies are located within the project area. The nearest surface water is Dawson Creek, approximately 1,500 feet east of the grading limits. The flow from Dawson Creek ultimately drains to the Tualatin River located 3.5 miles south of the project site.	☐	☒
Will the project impact any of the identified water resources either during construction or operations? Describe any steps that will be taken to protect water resources during and after construction. HIO's Stormwater Pollution Control Plan, part of its 1200-Z General NPDES Permit, was completed in August 2021 and updated in December 2021 (Port of Portland 2021). For erosion and sediment control, the project will implement the 1200-C Permit requirements and any applicable local agency rules and regulations related to construction activity. An Erosion and Sediment Control Plan will be implemented in accordance with the NPDES 1200-C stormwater discharge permit to prevent the release of pollutants during construction. BMPs, such as silt fencing and catch basin protection are incorporated into the current construction plans to address site-specific requirements for environmental protection. The project is required to meet the Clean Water Services Design and Construction Standards (CWS 2019) for post construction stormwater management of developed and redeveloped impervious surfaces. Post-construction water quality treatment and hydromodification mitigation will be provided for new impervious surface, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated	☐	☒

runoff will then flow overland, or via stormwater conveyance system, to Dawson Creek.		
Will the project increase the amount or rate of stormwater runoff either during construction or operations? Describe any steps that will be taken to ensure it will not impact water quality. In total the HIO Sky Harbour Development project will construct 11.09 acres of new impervious surface of which 6.54 acres are pollution generating (PGIS) and 4.55 acres are non-pollution generating buildings. There will be 0.24 acres of impervious surface removal for a net increase of 6.30 acres of PGIS. Stormwater BMPs will be in place during construction to ensure runoff from the construction site does not pollute wetlands or streams near the project area. Post-construction water quality treatment will be provided for new PGIS, through the use of vegetated filter strips and underground stormwater detention consistent with the Port's Stormwater Management Plan for HIO (Otak 2023), and with applicable regulations. The treated runoff will then flow via catch basin, to Dawson Creek.	☒	☐
Does the project have the potential to violate federal, state, tribal or local water quality standards established under the Clean Water and Safe Drinking Water Acts? The project will comply with water quality guidelines which dictate design standards, erosion control practices, BMPs, and stormwater management requirements set forth by the Clean Water Services Design and Construction Standards (2019) to prevent violation of water quality standards under the Clean Water and Safe Drinking Water Acts.	☐	☒
Are any water quality related permits required? If yes, list the appropriate permits. The project would be required to follow the National Pollutant Discharge Elimination System (NPDES) 1200-C permit for construction. Compliance with local stormwater regulations is also required for post-construction stormwater runoff treatment. A City of Hillsboro Grading and Erosion Control permit and a Clean Water Services Service Provider Letter are also required.	☒	☐

5-2.b(10) Highly Controversial on Environmental Grounds

	YES	NO
Is the project highly controversial? The term "highly controversial" means a substantial dispute exists as to the size, nature, or effect of a proposed federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project's risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement exists regarding the effects of a proposed action. The proposed project is not expected to be controversial. The project is located within the Corporate General Aviation Reserve. The project was discussed at HIO Tenant	☐	☒

Meetings.		

5-2.b(11) Inconsistent with Federal, State, Tribal or Local Law

	YES	NO
Will the project be inconsistent with plans, goals, policy, zoning, or local controls that have been adopted for the area in which the airport is located? The proposed project is consistent with the 2020 HIO Master Plan Update, Hillsboro's Comprehensive Plan Amended (2024) and local land use and zoning requirements (City of Hillsboro 2024).	☐	☒
Is the project incompatible with surrounding land uses? The project is consistent with surrounding land use and will not require a change in land use.	☐	☒

5-2 .b (12) Light Emissions, Visual Effects, and Hazardous Materials

a. Light Emissions and Visual Effects	YES	NO
Will the proposed project produce light emission impacts? Some work for this project may be completed at night which would require temporary lighting for construction workers. The new hanger facility will require electrical and lighting, both indoors and outside. All new and temporary lighting is within the airport fence and will not produce significant additional light emission impacts to the surrounding community. Development standards for HIO require that outdoor lighting be shielded from adjoining properties.	☐	☒
Will there be visual or aesthetic impacts as a result of the proposed project or have there been concerns expressed about visual/aesthetic impacts? The proposed project includes a new hanger with office space, aircraft ramp, fueling facilities, ground services equipment support, stormwater treatment, and personal vehicle facilities. The structure will be adjacent to NE Brookwood Parkway and is consistent with existing airport infrastructure.	☐	☒

b. Hazardous Materials	YES	NO
Does the project involve or affect hazardous materials? The proposed project includes installation of a new above ground fuel farm. Installation and operation of the fueling facilty will comply with State and local regulations which are governed by the Oregon Fire Code, the Oregon DEQ, and the City of Hillsboro. If hazardous materials are inadvertently encountered during construction, the Port would cease construction immediately and appropriately manage the hazardous	☒	☐

materials.		
Will construction take place in an area that contains or previously contained hazardous materials? There will be no construction in areas known to contain hazardous materials. If hazardous materials are encountered during construction, the Port would cease construction immediately and remove the hazardous materials.	☐	☒
If the project involves land acquisition, is there a potential for this land to contain hazardous materials or contaminants? The proposed project does not involve land acquisition.	☐	☒
Will the proposed project produce hazardous or solid waste either during construction or after? If yes, how will the additional waste be handled? No known hazardous materials will be removed as part of this construction project. If unknown hazardous materials are encountered during demolition, the Port would cease construction immediately and oversee the removal the hazardous materials by a qualified contractor. Non-hazardous waste would be generated from demolition and site construction activities; this waste would be transported off-site for disposal or recycling. Solid waste that is generated during the project would be managed for off-site recycling and disposal.	☐	☒

5-2 .b (13) Public Involvement

	YES	NO
Was there any public notification or involvement? If yes, provide documentation. Corporate Aviation use of this area, and in particular hangar development, is included in the ALP and discussed in the 2020 Airport Master Plan for Portland-Hillsboro Airport. The plan and ALP drawings are available to the public on the Port of Portland website (Port of Portland 2020). In addition, this project was discussed during HIO Tenant Meetings.	☒	☐

Permits

List any permits required for the proposed project which have not been previously discussed. Provide details on the status of permits.

- 1200-CA NPDES Permit
- CWS Service Provider Letter (SPL)
- City of Hillboro Grading and Erosion Control Permit

Environmental Commitments

List all measures and commitments made to avoid, minimize, mitigate, and compensate for impacts on the environment, which are needed for this project to qualify for a CATEX.

- NMFS Biological Opinion WCRO-2024-02704
- Inadvertent Discovery Plan
- HIO Stormwater Pollution Control Plan, updated December 2021
- Stormwater Commitment Letter to City of Hillsboro and Clean Water Services, Oct 2022
- Spill Prevention, Control, and Countermeasure Plan HIO 2020
- Spill Response Procedures HIO 2020
- Erosion and Sediment Control Plan
- Waste Minimization procedure (revised 2014)
- HIO Stormwater Master Plan (2023)

References

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Wilderness Connect. 2025. Interactive Map. https://www.wilderness.net/NWPS/maps

Preparer Information

Point of Contact: Michelle Hollis		
Address: 7200 NE Airport Way		
City: Portland	**State:** Oregon	**Zip Code:** 97218
Phone: 503-415-6832	**Email Address:** michelle.hollis@portofportland.com	

Signature: Signed by: Michelle Hollis 1F3A925AE93344D... **Date:** 3/2/2026

Airport Sponsor Information and Certification (may not be delegated to consultant)

Provide contact information for the designated sponsor point of contact and any other individuals requiring notification of the FAA decision.

Point of Contact: Kristina Kelchner		
Address: 7200 NE Airport Way		
City: Portland	**State:** Oregon	**Zip Code:** 97218
Phone: 503-415-6043	**Email Address:** kristina.kelchner@portofportland.com	
Additional Name(s):	**Additional Email Address(es):**	

I certify that the information I have provided above is, to the best of my knowledge, correct. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval) has occurred.

Signature: Signed by: kristina kelchner A1C8620F44C0444... **Date:** 3/2/2026

FAA Decision

Having reviewed the above information, it is the FAA's decision that the proposed project (s) or development warrants environmental processing as indicated below.

Name of Airport, LOC ID, and location:

Hillsboro Airport (HIO)
3355 NE Cornell Road
Hillsboro, Oregon 97124

Project Title:

HIO Sky Harbour Jet Hangars

☑No further NEPA review required. Project is categorically excluded per (cite applicable FAA Order 1050.1 (current version) and CATEX that applies).

FAA Order 1050.1G, Appendix B, B-2.4.f.u.

☐An Environmental Assessment (EA) is required.

☐An Environmental Impact Statement (EIS) is required.

☐The following additional documentation is necessary for FAA to perform a complete environmental evaluation of the proposed project.

Name: Laura Sample **Title:** Environmental Protection Specialist

Responsible FAA Official

Signature: Laura Sample **Date:** 3/6/2026