

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: Bella-Pines

HEROS Number: 900000010502831

Start Date: 10/13/2025

Responsible Entity (RE): BEND, PO Box 431 Bend OR, 97709

State / Local Identifier:

RE Preparer: Mellissa Kamanya

Certifying Officer Racheal Baker
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Point of Contact:
Consultant (if applicable):

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 63080 Deschutes Market Rd, Bend, OR 97701

Additional Location Information:

N/A

Direct Comments to:

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

The funding will enable The Latino Community Association (LCA) to acquire a 2.9-acre vacant lot at 60380 Deschutes Market Road. LCA will lease the land to United Housing Partners for the development of 102 affordable apartments. They will partner to provide onsite services to the tenants. The current project schedule estimates construction will start in November 2026. Construction will be finished in early fall 2028. The property owner intends to implement a 60-year land use covenant and serve households earning less than 60% of Area Median Income (AMI).

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

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR
✓	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Approval Documents:

**7015.15 certified by Certifying Officer
on:**

**7015.16 certified by Authorizing Officer
on:**

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
2024/7	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	\$275,000.00
B-23-PH-41-0002	Community Planning and Development (CPD)	Pathways to Removing Obstacles to Housing (PRO Housing)	\$2,250,000.00

**Estimated Total HUD Funded,
Assisted or Insured Amount:** \$2,525,000.00

Estimated Total Project Cost: \$3,053,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The Redmond Municipal Airport is 12.4 miles, or 65,472 feet away from the project site. The Bend Municipal Airport is 14,279

		feet away from the project site. Consulted with Deschutes County Property Information, DIAL, on July 29, 2025. The project site is outside of designated Zoning for Airport Safety for both the Redmond Municipal Airport and the Bend Municipal Airport. Consulted with Deschutes County Property Information, DIAL, on July 29, 2025.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act. The nearest CBRS unit is 1390.8 miles from the project site. Consulted with the U.S. Fish and Wildlife Service Coastal Barrier Resource System Mapper (https://fwsprimary.wim.usgs.gov/CBRS Mapper-v2/) on July 31, 2025.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The FIRMette identified the area as an "Area of Minimal Flood Hazard, Zone X". The nearest floodplain is the Deschutes River, 2.86 miles from the project site. Consulted the website for FEMA, National Flood Hazard Layer FIRMette, on July 31, 2025.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. As of July 31, 2025, Deschutes County is not listed in the EPA's 'Oregon Nonattainment/Maintenance Status for Each County by Year for All Criteria

		Pollutants' list. Consulted the United States Environmental Protection Agency (EPA) Green Book and NEPAAssist website (https://www.epa.gov/nepa/nepassist) on July 31, 2025.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The project is located in Bend, Oregon, which is approximately 175 miles away from the nearest Coastal Zone. Consulted with the United States Geological Survey Coastal Zone Finder tool (https://www.arcgis.com/apps/instant/lookup/index.html?appid=ceb1bc344b4d439e840499d5300dcd56) on July 31, 2025.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The U.S. EPAs map of Radon Zones was search for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L), which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed. The provided Phase 1 ESA report reviewed three tax lots, including the tax lot for the project site. No recognized environmental conditions or RECs were identified on the project site. Reviewed the Phase 1 ESA report completed by APEX, Project No. 25011333, dated September 2025.
Endangered Species Act Endangered Species Act of 1973,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project has been determined to have No Effect on listed species. This project is in compliance with the

particularly section 7; 50 CFR Part 402		<p>Endangered Species Act without mitigation. The U.S. Fish and Wildlife Service IPaC Resource List was generated for the project address on 7/31/2025, and several species were identified as potentially affected by activities in this location. Consultation on 7/31/2025 with the United States Department of the Interior Fish and Wildlife Service generated Project Code 2025-0129965. A total of six threatened, endangered, or candidate species are on the species list. Three of the species have proposed, final, or critical habitats that do not overlap the project site. This includes the Gray Wolf, Yellow-Billed Cuckoo, and Monarch Butterfly. The project will not impact these species as they have no habitat in the area. Three species, the California Condor, Suckleys Cuckoo Bumble Bee, and Northwestern Pond Turtle, have no critical habitat designated. Further review concluded that the project site will have no impact on these species.</p> <p>1. The known areas of the California Condor do not include any portions of Oregon, thus the project will not impact the species. 2. According to IPaC, the Suckleys Cuckoo Bumble Bee is known to occur in Deschutes County. Oregon State University Extension Service reports that the species has not been found by Oregon Bee Atlas Volunteers, and the last sighting in 2017 was in the Wallowa-Whitman National forest, over 216 miles from the project site. The project will not impact the species. 3. The Oregon Conservation Strategy reports that the Northwest Pond Turtle is found in marshes, streams, rivers, ponds, and lakes. The Oregon Department of Fish and Wildlife report that Western pond turtles are typically found outside of the Bend area, in the Coast Range, East Cascades, Klamath</p>
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		Mountains, West Cascades and Willamette Valley ecoregions. While the Deschutes River is over 2.5 miles from the project site, there have been no documented sightings on the river. The project will not impact the species.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. Consulted with the Oregon Office of State Fire Marshal, Larry Medina, Deputy State Fire Marshal. August 13, 2025.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland", "unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. Consulted with the United States Department of Agriculture, Natural Resources Conservation Service, on July 31, 2025.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. CISA maps are not available for review with the Federal Flood Standard Support Tool (FFSST), therefore 0.2-PFA standard is utilized. Review of the FIRMette panel 41017C0660E (eff. 09/28/2007) for the project site shows that the project site is not within the 0.2 percent annual chance floodplain. The entire project site is denoted as "Area of Minimal Flood Hazard, Zone X". Consulted with FEMA, National Flood Hazard Layer FIRMette on July 31, 2025. The nearest floodplain is the Deschutes

		River, which is 2.86 miles from the project site (15,100 feet).
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. The City of Bend, as the entity with delegated authority, determined there are no historic properties affected by the purchase of the vacant lot at the project site. The lot is vacant, within city limits, is surrounded by developed residential properties, and does not contain any built structures. The lot and all adjacent properties within a 0.5 mile radius are not listed on any national, state, or local historical records. The developer intends to utilize the lot for the development of 102 affordable apartment units. SHPO was consulted for First Initiation of Consultation on July 11, 2025, and the assigned SHPO Case Number is 25-2088. The 30-day SHPO response period for this project ended after 8/9/2025 with no additional responses or communication received. Attachments include evidence of the original SHPO Case correspondence, updated email correspondence, a site photo showing no built structures, and maps that show the site is outside locally designated historic districts. The HUD Tribal Directory Assessment Tool report from July 11, 2025, listed nine parties in relation to the project site, representing four tribes. Only the Klamath Tribe responded with no concerns with the project as described. However, they requested a monitor on site during any ground disturbing activities and that they are contacted if any inadvertent discoveries occur. The developer was notified of this request and an Archaeological Inadvertent Discovery Plan (IDP) and evidence of</p>

		staff training will be provided when completed. Consulted parties and consultation dates: Confederated Tribes of Warm Springs, Robert Brunoe and Jonathan Smith. Email 7/11/2025. Mr. Brunoe's certified letter was signed 7/21/25. The letter for Mr. Smith was returned for an undeliverable address. Klamath Tribes, Christina Rubidoux and Clayton Dumont. Email 7/11/2025, email correspondence received 7/15/2025. Cow Creek Band of Tribes, Ben Steward and Carla Keene. Email 7/11/2025, certified letters signed 7/24/25. Confederated Tribes of Grand Ronde, Cheryle Kennedy, Christopher Bailey, and David Harrelson. Email 7/11/2025, certified letters signed 7/18/25.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was acceptable: 65.0 db or less. See noise analysis. The project is in compliance with HUD's Noise regulation. A Noise Assessment was conducted. The noise level was acceptable: estimated 60.0 db or less. See noise analysis. The project is in compliance with HUD's Noise regulation. Rail sources are more than 3,000 feet from the project site, and therefore are not a source of noise exposure. The nearest train track is 11,738 feet from the project site, and the nearest railway crossing is 21,321 feet from the project site. Consulted with Deschutes County Property Information (DIAL) on August 1, 2025. Major roads are more than 1,000 feet from the project site, and therefore not a source of noise exposure. Highway 97 is 12,043 feet from the project site. There are no roads within 1,000 feet designated as a major road with available traffic count data. Consulted with Deschutes County Property Information (DIAL) and Oregon Traffic

		<p>Monitoring System MS2 on August 1, 2025. The Redmond Municipal Airport is more than 15 miles away from the project site, and therefore not a source of noise exposure. Consulted with Deschutes County Property Information (DIAL) on August 1, 2025. The Bend Municipal Airport is 2.71 miles from the project site, but determined not to be a source of noise exposure. The Small Airport Worksheet (R-10, September 2023) was completed on July 29, 2025. The Airport Master Record for Bend Municipal Airport accessed on 7/29/25 does not show operations data but refers to the Federal Aviation Administration (FAA) website. The FAA website shows that data is not available. The date of last inspection (1/11/2023) on the Airport Master Record accessed on 7/29/25 is the same as the Airport Master Record accessed 5/28/2024, but not all the available data is the same on both versions of the report. Considering the 2025 operations data is not available on the FAA website, the Airport Master Record accessed on 5/28/2024 was used in the calculations of the Small Airport Worksheet. Review of contour maps show that noise is less than 65 DB immediately outside the airport border. Considering the project site is more than 2.7 miles from the airport border and more than 2.0 miles from the edge of the contour map, and numerous residential structures exist between the airport and the project site, noise from this airport is not determined to be a factor in need of mitigation.</p>
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The nearest Sole Source Aquifer is 123 miles from the project site. Consulted with the United States</p>

		Environmental Protection Agency (EPA), Sole Source Aquifers on July 31, 2025.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. The project is not within the National Wetlands Inventory, nor is it designated in local or state Wetland inventories. The closest designated Wetland is the Deschutes River, which is more than 2.6 miles from the project site. Anticipated construction activities at the project site do not include those defined in Executive Order 11990. Consulted with the U.S. Fish & Wildlife Service National Wetlands Inventory on July 31, 2025, and Deschutes County Property Information (DIAL) on July 30, 2025.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The project site is 7.59 miles from the nearest Federal Wild and Scenic Waterway, and 2.89 miles from the nearest Oregon Scenic Waterway. Consulted Deschutes County Property Information (DIAL) on 7/31/2025 and the National Wild and Scenic Rivers System website on 8/25/2025. While the Deschutes River is within 2.6 miles from the project site, the Deschutes River is not listed as a river in current active studies, Section 2(a)(ii) studies, and special studies, or Section 5(d)(1) Agency-Identified Studies. Consulted the National Wild and Scenic Rivers System website on 8/25/2025. The Deschutes River does not appear on the Nationwide Rivers Inventory website as of August 25, 2025.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		

Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.
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Mitigation Measures and Conditions [40 CFR 1505.2(c)]:

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	The U.S. EPAs map of Radon Zones was searched for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L), which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed.	N/A	The U.S. EPAs map of Radon Zones was searched for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L),	

			which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed.	
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Project Mitigation Plan

The U.S. EPAs map of Radon Zones was searched for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L), which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The Redmond Municipal Airport is 12.4 miles, or 65,472 feet away from the project site. The Bend Municipal Airport is 14,279 feet away from the project site. Consulted with Deschutes County Property Information, DIAL, on July 29, 2025. The project site is outside of designated Zoning for Airport Safety for both the Redmond Municipal Airport and the Bend Municipal Airport. Consulted with Deschutes County Property Information, DIAL, on July 29, 2025.

Supporting documentation

[Bella Pines Proximity to Redmond Airport.png](#)

[Bella Pines Proximity to Bend Airport.png](#)

[Bella Pines outside airport safety zones 2 airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

Bella-Pines

Bend, OR

900000010502831

✓ No

Coastal Barrier Resources

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

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

Screen Summary**Compliance Determination**

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act. The nearest CBRS unit is 1390.8 miles from the project site. Consulted with the U.S. Fish and Wildlife Service Coastal Barrier Resource System Mapper (<https://fwsprimary.wim.usgs.gov/CBRSMapper-v2/>) on July 31, 2025.

Supporting documentation

[Bend proximity to Coastal Barrier Resources.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

✓ Yes

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

[Bella Pines FIRMETTE.pdf](#)

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

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

✓ No

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary**Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The FIRMette identified the area as an "Area of Minimal Flood Hazard, Zone X". The nearest floodplain is the Deschutes River, 2.86 miles from the project site. Consulted the website for FEMA, National Flood Hazard Layer FIRMette, on July 31, 2025.

Supporting documentation

[FEMA map.pdf](#)

[Bella Pines FEMA map_distance to floodplain.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

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

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

✓ Yes

No

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

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

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

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

Screen Summary**Compliance Determination**

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. As of July 31, 2025, Deschutes County is not listed in the EPA's 'Oregon Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants' list. Consulted the United States Environmental Protection Agency (EPA)

Green Book and NEPAassist website (<https://www.epa.gov/nepa/nepassist>) on July 31, 2025.

Supporting documentation

[Bella Pines_NEPAassist.pdf](#)

[Screenshot PHistory.png](#)

[Screenshot National Multipollutant.png](#)

[Particulate Matter \(PM\).pdf](#)

[Nitrogen Dioxide \(1971\) Maintenance Areas.pdf](#)

[Lead \(2008\) Designated Area State_Area_County Report_Green Book_US EPA.pdf](#)

[Carbon Monoxide \(1971\) Designated Areas.pdf](#)

[8-Hour Ozone \(2015\) Designated Areas by State_County_Area_Green Book_US EPA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

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

Yes

☒ No

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

Screen Summary**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The project is located in Bend, Oregon, which is approximately 175 miles away from the nearest Coastal Zone. Consulted with the United States Geological Survey Coastal Zone Finder tool (<https://www.arcgis.com/apps/instant/lookup/index.html?appid=ceb1bc344b4d439e840499d5300dcd56>) on July 31, 2025.

Supporting documentation[Bend proximity to Coastal Zone.png](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Contamination and Toxic Substances

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

1. How was site contamination evaluated?* Select all that apply.

☒ ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

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

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

☒ No

Explain:

The provided Phase 1 ESA report reviewed three tax lots, including the tax lot for the project site. No recognized environmental conditions or RECs were identified on the project site. Reviewed the Phase 1 ESA report completed by APEX, Project No. 25011333, dated September 2025.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental

review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

✓ Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

No

8. Mitigation

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

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan*.

Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.
Project cannot proceed at this location.

✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.
Provide all mitigation requirements** and documents in the Screen Summary at the bottom of this screen.

* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

** Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

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

The U.S. EPAs map of Radon Zones was searched for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L), which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed.

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

Complete removal

Risk-based corrective action (RBCA)

✓ Other

* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

** Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The U.S. EPAs map of Radon Zones was search for Deschutes County, which falls within the U.S. EPA Zone 3 designation for Radon levels. This designation correlates to a predicted average indoor radon screening level of less than 2 picocuries per liter (pCi/L), which is below the U.S. EPA action level of 4 pCi/L. No mitigation is needed. The provided Phase 1 ESA report reviewed three tax lots, including the tax lot for the project site. No recognized environmental conditions or RECs were identified on the

project site. Reviewed the Phase 1 ESA report completed by APEX, Project No. 25011333, dated September 2025.

Supporting documentation

[EPA Map of Radon Zones.pdf](#)
[PhaseIESA_BellaPinesApts_FINAL.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

A total of six threatened, endangered, or candidate species are on the U.S. Fish and Wildlife Service IPaC Resource List for the project site. However, after further review of each species, none were determined to inhabit the area. More details are provided in the Compliance Determination section below. No mitigation is needed.

Screen

Summary

Compliance Determination

This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation. The U.S. Fish and Wildlife Service IPaC Resource List was generated for the project address on 7/31/2025, and several species were identified as potentially affected by activities in

this location. Consultation on 7/31/2025 with the United States Department of the Interior Fish and Wildlife Service generated Project Code 2025-0129965. A total of six threatened, endangered, or candidate species are on the species list. Three of the species have proposed, final, or critical habitats that do not overlap the project site. This includes the Gray Wolf, Yellow-Billed Cuckoo, and Monarch Butterfly. The project will not impact these species as they have no habitat in the area. Three species, the California Condor, Suckleys Cuckoo Bumble Bee, and Northwestern Pond Turtle, have no critical habitat designated. Further review concluded that the project site will have no impact on these species. 1. The known areas of the California Condor do not include any portions of Oregon, thus the project will not impact the species. 2. According to IPaC, the Suckleys Cuckoo Bumble Bee is known to occur in Deschutes County. Oregon State University Extension Service reports that the species has not been found by Oregon Bee Atlas Volunteers, and the last sighting in 2017 was in the Wallowa-Whitman National forest, over 216 miles from the project site. The project will not impact the species. 3. The Oregon Conservation Strategy reports that the Northwest Pond Turtle is found in marshes, streams, rivers, ponds, and lakes. The Oregon Department of Fish and Wildlife report that Western pond turtles are typically found outside of the Bend area, in the Coast Range, East Cascades, Klamath Mountains, West Cascades and Willamette Valley ecoregions. While the Deschutes River is over 2.5 miles from the project site, there have been no documented sightings on the river. The project will not impact the species.

Supporting documentation

[Bella Pines Species List Oregon Fish And Wildlife Office.pdf](#)
[Wolf Deschutes County.pdf](#)
[Suckleys Cuckoo Bumble Bee research.pdf](#)
[Northwestern Pond Turle Research.pdf](#)
[California Condor map.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

☒ No

Yes

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

No

☒ Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

☒ No

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

Yes

Screen Summary**Compliance Determination**

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. Consulted with the Oregon Office of State Fire Marshal, Larry Medina, Deputy State Fire Marshal. August 13, 2025.

Supporting documentation

[no ASTs near the project site.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

☒ Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

☒ No

3. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/states/> for assistance

✓ No

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

Yes

Screen Summary

Compliance Determination

The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland", "unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. Consulted with the United States Department of Agriculture, Natural Resources Conservation Service, on July 31, 2025.

Supporting documentation

[Bella Pines not prime farmland report.pdf](#)

[Bella Pines Farmland Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland protection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary**Compliance Determination**

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. CISA maps are not available for review with the Federal Flood Standard Support Tool (FFSST), therefore 0.2-PFA standard is utilized. Review of the FIRMette panel 41017C0660E (eff. 09/28/2007) for the project site shows that the project site is not within the 0.2 percent annual chance floodplain. The entire project site is denoted as "Area of Minimal Flood Hazard, Zone X". Consulted with FEMA, National Flood Hazard Layer FIRMette on July 31, 2025. The nearest floodplain is the Deschutes River, which is 2.86 miles from the project site (15,100 feet).

Supporting documentation

[Bella Pines_FEMA map_distance to floodplain\(1\).png](#)

[FFSST no longer running.png](#)

[Bella Pines_FIRMETTE\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Response Period Elapsed
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Cow Creek Band of Umpqua Tribe of Indians	Response Period Elapsed
✓ Grand Ronde Community of Oregon	Response Period Elapsed
✓ Klamath Tribes	Completed
✓ Warm Springs Reservation of Oregon	Response Period Elapsed

Other Consulting Parties

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

In alignment with standard procedures, the State of Oregon SHPO and applicable tribes were contacted.

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

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

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

63080 Deschutes Market Road, Bend, Oregon, 977010

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

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

The project site is vacant without any built structures. Available aerial imagery from 1943 to 2023 consistently show the site as vacant with no built structures on the site.

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

Document reason for finding:

✓ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. The City of Bend, as the entity with delegated authority, determined there are no historic properties affected by the purchase of the vacant lot at the project site.

The lot is vacant, within city limits, is surrounded by developed residential properties, and does not contain any built structures. The lot and all adjacent properties within a 0.5 mile radius are not listed on any national, state, or local historical records. The developer intends to utilize the lot for the development of 102 affordable apartment units. SHPO was consulted for First Initiation of Consultation on July 11, 2025, and the assigned SHPO Case Number is 25-2088. The 30-day SHPO response period for this project ended after 8/9/2025 with no additional responses or communication received. Attachments include evidence of the original SHPO Case correspondence, updated email correspondence, a site photo showing no built structures, and maps that show the site is outside locally designated historic districts. The HUD Tribal Directory Assessment Tool report from July 11, 2025, listed nine parties in relation to the project site, representing four tribes. Only the Klamath Tribe responded with no concerns with the project as described. However, they requested a monitor on site during any ground disturbing activities and that they are contacted if any inadvertent discoveries occur. The developer was notified of this request and an Archaeological Inadvertent Discovery Plan (IDP) and evidence of staff training will be provided when completed. Consulted parties and consultation dates: Confederated Tribes of Warm Springs, Robert Brunoe and Jonathan Smith. Email 7/11/2025. Mr. Brunoe's certified letter was signed 7/21/25. The letter for Mr. Smith was returned for an undeliverable address. Klamath Tribes, Christina Rubidoux and Clayton Dumont. Email 7/11/2025, email correspondence received 7/15/2025. Cow Creek Band of Tribes, Ben Steward and Carla Keene. Email 7/11/2025, certified letters signed 7/24/25. Confederated Tribes of Grand Ronde, Cheryle Kennedy, Christopher Bailey, and David Harrelson. Email 7/11/2025, certified letters signed 7/18/25.

Supporting documentation

[Klamath Tribes_response to HUD Environmental review.pdf](#)

[Sub Frm_63080 Deschutes Market.pdf](#)

[Cvr Let_63080 Deschutes Market Rd.pdf](#)

[Clr Frm_63080 Deschutes Market.pdf](#)

[Email response_First Initiation of Consultation_63080 Deschutes Market Road.pdf](#)

[Site photo of vacant lot.png](#)

[Bella Pines_not historic.png](#)

[Proof of Certified Mail x9.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

- ✓ New construction for residential use

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

Rehabilitation of an existing residential property

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

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

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

Indicate the findings of the Preliminary Screening below:

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

- ✓ Noise generators were found within the threshold distances.

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

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

Indicate noise level here: 65

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

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

Unacceptable: (Above 75 decibels)

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 65.0 db or less. See noise analysis. The project is in compliance with HUD's Noise regulation. A Noise Assessment was conducted. The noise level was acceptable: estimated 60.0 db or less. See noise analysis. The project is in compliance with HUD's Noise regulation. Rail sources are more than 3,000 feet from the project site, and therefore are not a source of noise exposure. The nearest train track is 11,738 feet from the project site, and the nearest railway crossing is 21,321 feet from the project site. Consulted with Deschutes County Property Information (DIAL) on August 1, 2025. Major roads are more than 1,000 feet from the project site, and therefore not a source of noise exposure. Highway 97 is 12,043 feet from the project site. There are no roads within 1,000 feet designated as a major road with available traffic count data. Consulted with Deschutes County Property Information (DIAL) and Oregon Traffic Monitoring System MS2 on August 1, 2025. The Redmond Municipal Airport is more than 15 miles away from the project site, and therefore not a source of noise exposure. Consulted with Deschutes County Property Information (DIAL) on August 1, 2025. The Bend Municipal Airport is 2.71 miles from the project site, but determined not to be a source of noise exposure. The Small Airport Worksheet (R-10, September 2023) was

completed on July 29, 2025. The Airport Master Record for Bend Municipal Airport accessed on 7/29/25 does not show operations data but refers to the Federal Aviation Administration (FAA) website. The FAA website shows that data is not available. The date of last inspection (1/11/2023) on the Airport Master Record accessed on 7/29/25 is the same as the Airport Master Record accessed 5/28/2024, but not all the available data is the same on both versions of the report. Considering the 2025 operations data is not available on the FAA website, the Airport Master Record accessed on 5/28/2024 was used in the calculations of the Small Airport Worksheet. Review of contour maps show that noise is less than 65 DB immediately outside the airport border. Considering the project site is more than 2.7 miles from the airport border and more than 2.0 miles from the edge of the contour map, and numerous residential structures exist between the airport and the project site, noise from this airport is not determined to be a factor in need of mitigation.

Supporting documentation

[Bella Pines_proximity to railway\(1\).png](#)
[Bella Pines_proximity to railway crossing.png](#)
[Bella Pines_proximity to HWY 97.png](#)
[Bella Pines_Proximity to Bend Airport\(1\).png](#)
[Bella Pines_noise contour.pdf](#)
[Bella Pines_no major roads within 1000 ft radius.png](#)
[Bella Pines_distance to noise contour in miles.png](#)
[Bella Pines Airport Noise Evaluation_small airport.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

< No

✓

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

Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The nearest Sole Source Aquifer is 123 miles from the project site. Consulted with the United States Environmental Protection Agency (EPA), Sole Source Aquifers on July 31, 2025.

Supporting documentation

[Bend distance to Sole Source Aquifers.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. The project is not within the National Wetlands Inventory, nor is it designated in local or state Wetland inventories. The closest designated Wetland is the Deschutes River, which is more than 2.6 miles from the project site. Anticipated construction activities at the project site do not include those defined in Executive Order 11990. Consulted with the U.S. Fish & Wildlife Service National Wetlands Inventory on July 31, 2025, and Deschutes County Property Information (DIAL) on July 30, 2025.

Supporting documentation

[Bella Pines_no wetlands on site.pdf](#)

[Bella Pines_Distance to Wetland.png](#)

[Bella Pines_1_National Wetlands Inventory.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The project site is 7.59 miles from the nearest Federal Wild and Scenic Waterway, and 2.89 miles from the nearest Oregon Scenic Waterway. Consulted Deschutes County Property Information (DIAL) on 7/31/2025 and the National Wild and Scenic Rivers System website on 8/25/2025. While the Deschutes River is within 2.6 miles from the project site, the Deschutes River is not listed as a river in current active studies, Section 2(a)(ii) studies, and special studies, or Section 5(d)(1) Agency-Identified Studies. Consulted the National Wild and Scenic Rivers System website on 8/25/2025. The Deschutes River does not appear on the Nationwide Rivers Inventory website as of August 25, 2025.

Supporting documentation

[Study Rivers _ Rivers.pdf](#)

[NWSR map of Bend.png](#)

[Nationwide Rivers Inventory Bend.png](#)

[Bella Pines Distance to Oregon Scenic Waterway.png](#)

[Bella Pines Distance to Federal Wild and Scenic Waterway.png](#)

Are formal compliance steps or mitigation required?

Bella-Pines

Bend, OR

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Yes

✓ No

Environmental Justice

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

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No