



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: City of Bend Sidewalk Improvements

Responsible Entity: BEND

Grant Recipient (if different than Responsible Entity): n/a

State/Local Identifier: Oregon

Preparer: Mellissa Kamanya

Certifying Officer Name and Title: Racheal Baker, Housing Division Manager

Grant Recipient (if different than Responsible Entity): n/a

Consultant (if applicable): n/a

Direct Comments to: Racheal Baker, rbaker@bendoregon.gov

Project Location:

In regard to the broad level review, sidewalk installations and road improvements will be prioritized in HUD QCT census tracts 15.01, 18.01, and 18.02. Site specific locations will be described in detail throughout the tiered review.

Description of the Proposed Project [24 CFR 50.21 & 58.32]:

The City of Bend intends to install new sidewalk panels and correlating infrastructure road improvements over a period of 5 years to increase connectivity in low-income neighborhoods.

Projects are prioritized in census tracts 15.01, 18.01, and 18.02, which are the three census tracts in Bend identified by the U.S. Department of Housing and Urban Development (HUD) as Qualified Census Tracts (QCT). QCTs are defined as low-income areas where at least 50% of households earn below 60% of the Area Median Gross Income (AMGI), or the tract has a poverty rate of 25% or more. While this definition is used primarily for the Low-Income Housing Tax Credit (LIHTC) program to encourage affordable housing, it is also a tool for targeting areas where housing-related assistance to underserved communities is needed.

The sidewalks are new installations to fill in gaps in connectivity, adjacent to either low-to-moderate income housing, areas with concentrations of persons living with physical disabilities, or assisted living facilities. Each sidewalk panel and road infrastructure improvement are in fully developed areas with all utilities in place, none of these sites are adjacent to vacant, undeveloped lots.

Statement of Purpose and Need for the Proposal:

Several affordable housing complexes in Bend lack adequate supporting infrastructure or are situated next to infrastructure that has deteriorated over time. As the City continues to expand affordable housing options, it has reduced certain requirements and fees for affordable housing developers. While these adjustments help accelerate housing production, they also reduce the amount of City funding available to address the infrastructure improvements needed to support these developments. Because sidewalks are typically installed only when construction occurs on a specific lot, vacant parcels adjacent to new development may remain without sidewalk infrastructure, resulting in gaps in connectivity.

In areas where parcels next to affordable housing lack sidewalks or paved roads, residents may be forced to rely exclusively on vehicle travel, walk in the roadway, or take lengthy detours to reach existing sidewalks. Some nearby units are reserved for individuals with significant physical needs, making the absence of safe pedestrian infrastructure particularly hazardous. By constructing sidewalks in areas where they are missing and repairing those in disrepair, the City will improve multimodal mobility in low-income communities and provide safer, more dependable access throughout the neighborhood.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Identified areas for sidewalks installation are near affordable housing developments and assisted living facilities. Residents with low incomes and individuals living with physical disabilities often rely on safe, continuous pedestrian networks when choosing where to live. Without the sidewalk installations and correlating road improvements, safety may be compromised as residents traverse on foot or bicycle between existing sidewalks and open road. In addition,

without these installations, some residents may opt out of available affordable housing if the surrounding infrastructure does not meet their mobility needs.

Funding Information

Grant Number	HUD Program	Funding Amount
2025/4	Community Planning and Development (CPD)	\$400,000.00

Estimated Total HUD Funded Amount:
\$400,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:
\$400,000.00

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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 project includes census tracts 15.01, 18.01, and 18.02. Of these tracts, 18.01 is closest to relevant airports, and for this evaluation, the northeastern edge of tract 18.01 is used to measure distances. The Redmond Municipal Airport is 74,010 feet away from the project site. The Bend Municipal Airport is 20,0843 feet away from the project site. Consulted with Deschutes

		County Property Information, DIAL, on December 24, 2025.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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 December 22, 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]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is excepted from flood insurance as it does not involve mortgage insurance, refinance, acquisition, repairs, construction, or rehabilitation of a structure, mobile home, or insurable personal property.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is in compliance because it does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. 24 CFR 570.201(c) and Chapter 6 of “Basically CDBG” define the installation of sidewalks and road improvements to be public improvements, not public facilities.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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 December 22, 2025.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	To be evaluated at the site-specific review level. The project will implement any actions identified in the site-specific review and will complete state-required remediation activities prior to

		construction. For any issued identified, a No Further Action determination or regulatory closure documentation will be obtained as a condition of release of funds.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.</p> <p>The U.S. Fish and Wildlife Service IPaC Resource List was generated for the project address on 12/22/2025, 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 (FWS) generated Project Code 2026-0030106.</p> <p>There are no critical habitats within the project area under the FWS office jurisdiction. 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 Yellow-Billed Cuckoo, Oregon Spotted Frog, and Monarch Butterfly. The project will not impact these species as they have no habitat in the area.</p> <p>Two species, 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. 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. 2. 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 within</p>

		<p>0.5 miles of Census Tract 15.01, there have been no documented sightings on the river. The project will not impact the species.</p> <p>One species, the Gray Wolf, has a final critical habitat identified. However, the area identified with the Threatened status does not include Bend. The area involves Western OR (that portion of OR west of the centerline of Highway 395 and Highway 78 north of Burns Junction and that portion of OR west of the centerline of Highway 95 south of Burns Junction). The project will not impact the species.</p> <p>NOAA Fisheries provided map titled Figure 1 NMFS ESA Listed Species and Critical Habitat Designations in Oregon show that no listed species overlap Bend and the project area.</p>
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is in compliance with explosive and flammable hazard requirements.</p> <p>The sidewalk and road improvement project does not include the development of a hazardous facility, nor does it include development, construction, rehabilitation that will increase residential densities or conversion.</p>
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project does not include activities that could convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p> <p>Areas of sidewalk construction and road improvements are adjacent to existing low-to-moderate income housing, areas with concentrations of persons living with physical disabilities, or assisted living facilities. Each sidewalk panel and road infrastructure improvement are in fully developed areas with all utilities in place, none of these sites are adjacent to vacant, undeveloped lots. No agricultural land is included in the project scope.</p> <p>Census tracts 15.01, 18.20, and 18.02 are designated 'Urban Areas'. Consulted with the US Census TIGERweb at https://tigerweb.geo.census.gov/tigerweb2020/ on December 22, 2025.</p>
Floodplain Management	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>This project is not within a FFRMS floodplain and no further evaluation is needed under this section. The project is in compliance with Floodplain Management.</p>

Executive Order 11988, particularly section 2(a); 24 CFR Part 55		In Bend, the only special designation on the FEMA map is Deschutes River, a Regulatory Floodway, and the project area does not overlap it. The project includes census tracts 15.01, 18.01, and 18.02, and none of the tracts include areas designated as 500-year or 100-year floodplains. For this evaluation, FEMA maps were pulled for each involved census tract at the edge closest to the Deschutes River. All are designated as “Area of Minimal Flood Hazard”. Consulted the FEMA Flood Map Service Center website on 12/23/2025.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	To be evaluated at the site-specific review level. The project will comply with the conditions agreed to in consultation with the State Historic Preservation Officer, including adherence to the Secretary of the Interior’s Standards for Rehabilitation and implementation of an unanticipated discovery plan.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the project description, this project includes no activities that would require further evaluation under HUD’s noise regulation. The project is in compliance with Noise Abatement and Control requirements.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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 December 23, 2025.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the project description, this project includes no activities that would require further evaluation under this section. The project does not include new construction activities as defined by 24 CFR 55.10 (grading, clearing, draining, filling, diking, impounding, and related activities for any structure or facilities including the siting of new manufactured housing units). The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

		<p>The project includes census tracts 15.01, 18.01, and 18.02. Of these tracts, 15.01 is closest to relevant waterways, and for this evaluation, the southwestern edge of tract 15.01 is used to measure distances. This location is 4.6 miles from the nearest Federal Wild and Scenic Waterway, and 2.1 miles from the nearest Oregon Scenic Waterway. Consulted Deschutes County Property Information (DIAL) and the National Wild and Scenic Rivers System website on 12/23/2025. 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.</p> <p>Consulted the National Wild and Scenic Rivers System website on 12/23/2025. The Deschutes River does not appear on the Nationwide Rivers Inventory website as of 12/23/2025.</p>
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Environmental Assessment Factors [24 CFR 58.40] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project will not impact this factor.

Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The project will not impact this factor.
Hazards and Nuisances including Site Safety and Noise	1	The project will improve site safety with improved sidewalk connectivity for pedestrians.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	The project may improve employment and income patterns. Improved sidewalk connectivity will improve access to public transportation, which many residents utilize for access to employment, education, or retail services.
Demographic Character Changes, Displacement	2	The project will not impact this factor.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project will not impact this factor.
Commercial Facilities	2	The project will not impact this factor.
Health Care and Social Services	1	The project may improve access for persons accessing the facilities on foot, bicycle, or public transportation.
Solid Waste Disposal / Recycling	2	The project will not impact this factor.
Waste Water / Sanitary Sewers	2	The project will not impact this factor.
Water Supply	2	The project will not impact this factor.
Public Safety - Police, Fire and Emergency Medical	1	The project will improve site safety with improved sidewalk connectivity for pedestrians.

Parks, Open Space and Recreation	1	The project may improve access for persons accessing the facilities on foot, bicycle, or public transportation.
Transportation and Accessibility	1	The project may improve access for persons accessing the facilities on foot, bicycle, or public transportation.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project will not impact this factor.
Vegetation, Wildlife	2	The project will not impact this factor.
Other Factors	2	The project will not impact this factor.

Environmental Assessment Factor	Impact Code	Impact Evaluation
ENERGY		
Energy Efficiency	2	The project will not impact this factor.

Additional Studies Performed:

none

Field Inspection (Date and completed by):

Field inspections for tiered reviews are completed at the site-specific review level.

List of Sources, Agencies and Persons Consulted:

Confederated Tribes of Warm Springs; Robert Brunoe, Jonathan Smith
 Cow Creek Band of Umpqua Tribe; Ben Steward, Carla Keene, Clayton Dumont, Christina Rubidoux
 Department of Environmental Quality
 Deschutes County Property Information, DIAL
 FEMA, National Flood Hazard Layer FIRMette
 Grande Ronde Tribe; Cheryle Kennedy, Christopher Bailey, David Harrelson
 HUD Tribal Directory Assessment Information
 Klamath Tribes, Kaitlin Hakanson, Christina Rubidoux, Clarence Henthorne, Clayton Dumont
 National Wild and Scenic River System
 Oregon Coastal Management Program, Department of Land Conservation and Development

Oregon Heritage State Preservation Office
Oregon Office of State Fire Marshal, Larry Medina, Deputy State Fire Marshal
United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey
United States Environmental Protection Agency (EPA),
EJScreen: Environmental Justice Screening and Mapping Tool
Green Book - Oregon Nonattainment / Maintenance Status
ICIS-AIR database in Envirofacts
NEPAssist
Sole Source Aquifers
Toxic Release Inventory (TRI) program, TRI Toxics Tracker
U.S. Fish & Wildlife Service,
Coastal Barrier Resource System Mapper
IPaC Information for Planning and Consultation
National Wetlands Inventory

List of Permits Obtained:

none

Public Outreach [24 CFR 50.23 & 58.43]:

The activities proposed comprise a project for which a Finding of No Significant Impact on the environment was published on January 7, 2026. An Environmental Review Record (ERR) that documents the environmental determinations for this project on file at <https://www.bendoregon.gov/government/departments/housing>. A copy is available at the permit counter at City of Bend, and may be examined or copied on weekdays from 9:00 A.M. to 4:00 P.M. On or about January 26, 2026, the City of Bend will submit a request to HUD for the release of Community Development Block Grant funds under 24 CFR Part 570 of the Community Development Block Grant program, as amended, to undertake the project.

Cumulative Impact Analysis [24 CFR 58.32]:

The project will have no cumulative impact on the surrounding environment.

Alternatives [24 CFR 58.40(e)]

n/a

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

n/a

Summary of Findings and Conclusions:

The project will improve pedestrian safety and connectivity in areas where residents rely on transportation methods other than a personal vehicle. Installation of sidewalks and correlating road improvements will not negatively impact the surrounding environment.

Mitigation Measures and Conditions

Summarize below 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
Contamination and Toxic Substances (24 CFR Part 50.3(i) & 58.5(i)(2))	To be evaluated at the site-specific review level. The project will implement any actions identified in the site-specific review and will complete state-required remediation activities prior to construction. For any issued identified, a No Further Action determination or regulatory closure documentation will be obtained as a condition of release of funds.
Historic Preservation (National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800)	To be evaluated at the site-specific review level. The project will comply with the conditions agreed to in consultation with the State Historic Preservation Officer, including adherence to the Secretary of the Interior's Standards for Rehabilitation and implementation of an unanticipated discovery plan.

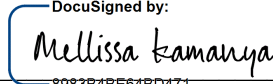
Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1)]

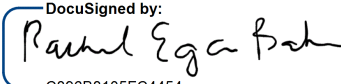
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2)]

The project may significantly affect the quality of the human environment.

Preparer Signature:  DocuSigned by: Mellissa Kamanya
8983B4BE64BD471... Date: 1/5/2026

Name/Title/Organization: Mellissa Kamanya, Affordable Housing Coordinator, City of Bend

Certifying Officer Signature:  DocuSigned by: Racheal Baker
C896B8105FC4454... Date: 1/7/2026

Name/Title: Racheal Baker, Housing Division Manager

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Airport Hazards (CEST and EA)

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
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

- 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. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

☐ Yes → *Continue to Question 2.*

- 2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?**

☐ Yes, project is in an APZ → *Continue to Question 3.*

☐ Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

☐ No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

- 3. Is the project in conformance with DOD guidelines for APZ?**

☐ Yes, project is consistent with DOD guidelines without further action.

Explain how you determined that the project is consistent:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

- ☐ No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*
- ☐ Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

Explain approval process:

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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 project includes census tracts 15.01, 18.01, and 18.02. Of these tracts, 18.01 is closest to relevant airports, and for this evaluation, the northeastern edge of tract 18.01 is used to measure distances. The Redmond Municipal Airport is 74,010 feet away from the project site. The Bend Municipal Airport is 20,0843 feet away from the project site. Consulted with Deschutes County Property Information, DIAL, on December 24, 2025.


Are formal compliance steps or mitigation required?

☐ Yes

☒ No




REGISTER

100

 **Draw**

Find an area, length, or location. ✕

Select a tool then click on the map start measuring. Double click to complete your measurement.

   | Feet ▼


Measurement Result

74,010.7 Feet



REGISTER

100

 **Draw**

-
- 



Coastal Barrier Resources (CEST and EA)

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)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

☒ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

☐ Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

☐ After consultation with the FWS the project was given approval to continue
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

☐ Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

BASEMAPS

MAP LAYERS

☒ CBRS Units

Click [here](#) to learn more about CBRS Units.



Measure



Miles

Measurement Result

1,390.8 Miles

Click the tool again to deselect it
and return to normal map controls

LEGEND

CBRS Units



1: 18,489,298
31.698 | -123.471

Flood Insurance (CEST and EA)

General requirements	Legislation	Regulation	Reference
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 55.5.	Flood Insurance - HUD Exchange

1. Does this project involve mortgage insurance, refinance, acquisition, repairs, construction, or rehabilitation of a structure, mobile home, or insurable personal property?

☒ No. This project does not require flood insurance or is excepted from flood insurance.
Continue to the Worksheet Summary.

☐ Yes *Continue to Question 2.*

2. Provide a FEMA/FIRM map showing the site.

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 *Continue to the Worksheet Summary.*

☐ Yes *Continue to Question 3.*

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

☐ Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

Continue to the Worksheet Summary.

- ☐ Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.

Continue to the Worksheet Summary.

- ☐ No. The community is not participating, or its participation has been suspended.
Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is excepted from flood insurance as it does not involve mortgage insurance, refinance, acquisition, repairs, construction, or rehabilitation of a structure, mobile home, or insurable personal property. The project involves the installation of new sidewalk panels and correlating infrastructure road improvements over a period of 5 years to increase connectivity in low-income neighborhoods.

Air Quality (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

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

→ Continue to Question 2.

☒ No (Sidewalks are considered to be public improvements, not public facilities)

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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?

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

- ☐ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

- ☐ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

- ☐ Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

4. 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.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is in compliance because it does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units.

24 CFR 570.201(c) and Chapter 6 of “Basically CDBG” define the installation of sidewalks and road improvements to be public improvements, not public facilities.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Basic eligible activities.

This content is from the eCFR and is authoritative but unofficial.

Title 24 —Housing and Urban Development**Subtitle B —Regulations Relating to Housing and Urban Development****Chapter V —Office of Assistant Secretary for Community Planning and Development,****Department of Housing and Urban Development****Subchapter C —Community Facilities****Part 570 —Community Development Block Grants****Subpart C —Eligible Activities**

Source: 53 FR 34439, Sept. 6, 1988, unless otherwise noted.

Authority: 12 U.S.C. 1701x, 1701 x-1; 42 U.S.C. 3535(d) and 5301-5320.

Source: 40 FR 24693, June 9, 1975, unless otherwise noted.

§ 570.201 Basic eligible activities.

CDBG funds may be used for the following activities:

- (a) **Acquisition.** Acquisition in whole or in part by the recipient, or other public or private nonprofit entity, by purchase, long-term lease, donation, or otherwise, of real property (including air rights, water rights, rights-of-way, easements, and other interests therein) for any public purpose, subject to the limitations of § 570.207.
- (b) **Disposition.** Disposition, through sale, lease, donation, or otherwise, of any real property acquired with CDBG funds or its retention for public purposes, including reasonable costs of temporarily managing such property or property acquired under urban renewal, provided that the proceeds from any such disposition shall be program income subject to the requirements set forth in § 570.504.
- (c) **Public facilities and improvements.** Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except as provided in § 570.207(a), carried out by the recipient or other public or private nonprofit entities. (However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to public facilities and improvements, including those provided for in § 570.207(a)(1).) In undertaking such activities, design features and improvements which promote energy efficiency may be included. Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in § 570.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals, nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims. In certain cases, nonprofit entities and subrecipients including those specified in § 570.204 may acquire title to public facilities. When such facilities are owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the policies in § 570.200(b).

- (d) **Clearance and remediation activities.** Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites and remediation of known or suspected environmental contamination. Demolition of HUD-assisted or HUD-owned housing units may be undertaken only with the prior approval of HUD. Remediation may include project-specific environmental assessment costs not otherwise eligible under § 570.205.
- (e) **Public services.** Provision of public services (including labor, supplies, and materials) including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified under § 570.207(b)(4)), homebuyer downpayment assistance, or recreational needs. If housing counseling, as defined in 24 CFR 5.100, is provided, it must be carried out in accordance with 24 CFR 5.111. To be eligible for CDBG assistance, a public service must be either a new service or a quantifiable increase in the level of an existing service above that which has been provided by or on behalf of the unit of general local government (through funds raised by the unit or received by the unit from the State in which it is located) in the 12 calendar months before the submission of the action plan. (An exception to this requirement may be made if HUD determines that any decrease in the level of a service was the result of events not within the control of the unit of general local government.) The amount of CDBG funds used for public services shall not exceed paragraphs (e) (1) or (2) of this section, as applicable:
 - (1) The amount of CDBG funds used for public services shall not exceed 15 percent of each grant, except that for entitlement grants made under subpart D of this part, nonentitlement CDBG grants in Hawaii, and for recipients of insular area funds under section 106 of the Act, the amount shall not exceed 15 percent of the grant plus 15 percent of program income, as defined in § 570.500(a). For entitlement grants under subpart D of this part, nonentitlement CDBG grants in Hawaii, and for recipients of insular area funds under section 106 of the Act, compliance is based on limiting the amount of CDBG funds obligated for public service activities in each program year to an amount no greater than 15 percent of the entitlement grant made for that program year plus 15 percent of the program income received during the grantee's immediately preceding program year.
 - (2) A recipient which obligated more CDBG funds for public services than 15 percent of its grant funded from origin year 1982 or 1983 appropriations (excluding program income and any assistance received under Public Law 98-8), may obligate more CDBG funds than allowable under paragraph (e)(1) of this section, so long as the total amount obligated in any program year does not exceed:
 - (i) For an entitlement grantee, 15% of the program income it received during the preceding program year; plus
 - (ii) A portion of the grant received for the program year which is the highest of the following amounts:
 - (A) The amount determined by applying the percentage of the grant it obligated for public services in the 1982 program year against the grant for its current program year;
 - (B) The amount determined by applying the percentage of the grant it obligated for public services in the 1983 program year against the grant for its current program year;
 - (C) The amount of funds it obligated for public services in the 1982 program year; or,
 - (D) The amount of funds it obligated for public services in the 1983 program year.
- (f) **Interim assistance.**

- (1) The following activities may be undertaken on an interim basis in areas exhibiting objectively determinable signs of physical deterioration where the recipient has determined that immediate action is necessary to arrest the deterioration and that permanent improvements will be carried out as soon as practicable:
 - (i) The repairing of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings; and
 - (ii) The execution of special garbage, trash, and debris removal, including neighborhood cleanup campaigns, but not the regular curbside collection of garbage or trash in an area.
 - (2) In order to alleviate emergency conditions threatening the public health and safety in areas where the chief executive officer of the recipient determines that such an emergency condition exists and requires immediate resolution, CDBG funds may be used for:
 - (i) The activities specified in paragraph (f)(1) of this section, except for the repair of parks and playgrounds;
 - (ii) The clearance of streets, including snow removal and similar activities, and
 - (iii) The improvement of private properties.
 - (3) All activities authorized under paragraph (f)(2) of this section are limited to the extent necessary to alleviate emergency conditions.
- (g) **Payment of non-Federal share.** Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of CDBG activities, provided, that such payment shall be limited to activities otherwise eligible and in compliance with applicable requirements under this subpart.
 - (h) **Urban renewal completion.** Payment of the cost of completing an urban renewal project funded under title I of the Housing Act of 1949 as amended. Further information regarding the eligibility of such costs is set forth in § 570.801.
 - (i) **Relocation.** Relocation payments and other assistance for permanently and temporarily relocated individuals families, businesses, nonprofit organizations, and farm operations where the assistance is
 - (1) required under the provisions of § 570.606 (b) or (c); or
 - (2) determined by the grantee to be appropriate under the provisions of § 570.606(d).
 - (j) **Loss of rental income.** Payments to housing owners for losses of rental income incurred in holding, for temporary periods, housing units to be used for the relocation of individuals and families displaced by program activities assisted under this part.
 - (k) **Housing services.** Housing services, as provided in section 105(a)(21) of the Act (42 U.S.C. 5305(a)(21)). If housing counseling, as defined in 24 CFR 5.100, is provided, it must be carried out in accordance with 24 CFR 5.111.
 - (l) **Privately owned utilities.** CDBG funds may be used to acquire, construct, reconstruct, rehabilitate, or install the distribution lines and facilities of privately owned utilities, including the placing underground of new or existing distribution facilities and lines.
 - (m) **Construction of housing.** CDBG funds may be used for the construction of housing assisted under section 17 of the United States Housing Act of 1937.

(n) **Homeownership assistance.** CDBG funds may be used to provide direct homeownership assistance to low- or moderate-income households in accordance with section 105(a) of the Act.

(o)

- (1) The provision of assistance either through the recipient directly or through public and private organizations, agencies, and other subrecipients (including nonprofit and for-profit subrecipients) to facilitate economic development by:
 - (i) Providing credit, including, but not limited to, grants, loans, loan guarantees, and other forms of financial support, for the establishment, stabilization, and expansion of microenterprises;
 - (ii) Providing technical assistance, advice, and business support services to owners of microenterprises and persons developing microenterprises; and
 - (iii) Providing general support, including, but not limited to, peer support programs, counseling, child care, transportation, and other similar services, to owners of microenterprises and persons developing microenterprises.
 - (2) Services provided this paragraph (o) shall not be subject to the restrictions on public services contained in paragraph (e) of this section.
 - (3) For purposes of this paragraph (o), "persons developing microenterprises" means such persons who have expressed interest and who are, or after an initial screening process are expected to be, actively working toward developing businesses, each of which is expected to be a microenterprise at the time it is formed.
 - (4) Assistance under this paragraph (o) may also include training, technical assistance, or other support services to increase the capacity of the recipient or subrecipient to carry out the activities under this paragraph (o).
- (p) **Technical assistance.** Provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities. (The recipient must determine, prior to the provision of the assistance, that the activity for which it is attempting to build capacity would be eligible for assistance under this subpart C, and that the national objective claimed by the grantee for this assistance can reasonably be expected to be met once the entity has received the technical assistance and undertakes the activity.) Capacity building for private or public entities (including grantees) for other purposes may be eligible under § 570.205.
- (q) **Assistance to institutions of higher education.** Provision of assistance by the recipient to institutions of higher education when the grantee determines that such an institution has demonstrated a capacity to carry out eligible activities under this subpart C.

[53 FR 34439, Sept. 6, 1988, as amended at 53 FR 31239, Aug. 17, 1988; 55 FR 29308, July 18, 1990; 57 FR 27119, June 17, 1992; 60 FR 1943, Jan. 5, 1995; 60 FR 56911, Nov. 9, 1995; 61 FR 18674, Apr. 29, 1996; 65 FR 70215, Nov. 21, 2000; 67 FR 47213, July 17, 2002; 71 FR 30034, May 24, 2006; 80 FR 69870, Nov. 12, 2015; 81 FR 90659, Dec. 14, 2016]

CHAPTER 6: PUBLIC FACILITIES, SPECIAL ASSESSMENTS AND PRIVATELY-OWNED UTILITIES



CHAPTER PURPOSE & CONTENTS

This chapter provides grantees with information on CDBG-eligible public facilities and improvement activities, special assessments, and privately owned utilities. This chapter also discusses how to determine the appropriate national objective category for these types of activities.

SECTION	TOPIC	PAGE
6.1	Public Facilities and Improvements	6-1
6.2	Special Assessments	6-5
6.3	Privately –Owned Utilities	6-7
6.4	Summary of National Objective Options for Public Facilities, Special Assessments and Privately Owned Utilities	6-8

6.1 Public Facilities and Improvements

Under the CDBG Program, grantees may use funds to undertake a variety of public facilities and public improvement projects. In general, public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned, or that are owned by a nonprofit and open to the general public. The following is a summary of the topics in this section, applicable statutory and regulatory citations, and other reference materials available from HUD.

Key Topics in This Section	<ul style="list-style-type: none"> ✓ Eligible public facilities activities ✓ Ineligible activities ✓ National objectives for public facilities
Regulatory/Statutory Citations	Section 101(c), Section 104(b), Section 105(a)(2), Section 105(c) §570.201(c), §570.207, §570.208
Other Reference Materials on This Topic	<ul style="list-style-type: none"> ✓ CDBG Guide to National Objectives and Eligible Activities <ul style="list-style-type: none"> ♦ Chapter 2, Chapter 3 ✓ CPD Notice 04-07

6.1.1 Eligible and Ineligible Activities

Eligible Activities

- ✓ The acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements are eligible activities under CDBG and can be carried out by a grantee,



Chapter 6: Public Facilities, Special Assessments, and Privately Owned Utilities

subrecipient, or other nonprofit. Public facilities may only be owned by these types of entities.

- ✓ Eligible types of facilities and improvements include:
 - Infrastructure improvements (construction or installation) including, but not limited to streets, curbs, and water and sewer lines;
 - Neighborhood facilities including, but not limited to public schools, libraries, recreational facilities, parks, playgrounds; and
 - Facilities for persons with special needs such as facilities for the homeless or domestic violence shelters, nursing homes, or group homes for the disabled.
- ✓ Eligible costs associated with eligible activities may include:
 - Energy efficiency improvements;
 - Handicapped accessibility improvements (including improvements to buildings used for general conduct of government); and
 - Architectural design features and other treatments aimed at improving aesthetic quality (e.g., sculptures, fountains).
- ✓ If the assisted facility is owned by a nonprofit, the CDBG regulations stipulate that the facility must be open to the public during normal working hours.

Ineligible Activities

- ✓ The maintenance and repair of public facilities and improvements is generally ineligible (e.g., filling potholes, repairing cracks in sidewalks, mowing grass at public recreational areas or replacing street light bulbs).
- ✓ Operating costs associated with public facilities or improvements are ineligible unless part of a CDBG-assisted public service activity or eligible as an interim assistance activity.
- ✓ A public facility otherwise eligible for assistance under the CDBG program may be assisted with CDBG funds even if it is part of a multiple use building containing ineligible uses, if:
 - The public portion of the facility that is otherwise eligible and proposed for assistance will occupy a designated and discrete area within the larger facility; and
 - The grantee can determine the costs attributable to the facility proposed for assistance as separate and distinct from the overall costs of the multiple-use building and/or facility. Allowable costs are limited to those attributable to the eligible portion of the building or facility.

6.1.2 National Objective

LMI Benefit National Objective

- ✓ CDBG-funded public facilities and improvements will typically be categorized under the LMI Benefit national objective as an Area Benefit activity.
 - Under the area benefit criteria, the public facility/improvement must benefit **all** residents of an area where at least 51 percent of the residents are LMI. The service area need not have coterminous boundaries with Census tract borders or other officially recognized boundaries, but must be primarily residential in nature.

Chapter 6: Public Facilities, Special Assessments, and Privately Owned Utilities



- If qualifying an activity under the Area Benefit criteria, records to keep include:
 - Boundaries of the service area;
 - Documentation that the area is primarily residential (e.g., zoning map); and
 - Income characteristics of households in the services area (Census/American Community Survey data).
- ✓ Public facilities funded by CDBG may sometimes qualify under the Limited Clientele criteria of the LMI national objective. The regulation stipulates that the facility benefit a specific targeted group of persons, of which at least 51 percent must be low- and moderate-income. This can be achieved by meeting one of the following criteria:
 - Serving at least 51 percent LMI, as evidenced by documentation and data concerning beneficiary family size and income;
 - Having income-eligibility requirements that limit the service to persons meeting the LMI income requirement, as evidenced by the administering agency's procedures, intake/application forms and other sources of documentation;
 - Serving a group primarily presumed to be LMI such as abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers; or
 - Being of such a nature and in a location that it may be concluded that the activity's clientele are LMI.
- ✓ Public facilities such as homeless shelters or group homes for persons with special needs are just two of the examples of public facilities that may qualify under the Limited Clientele criteria. The populations served by these facilities are populations that are presumed to be LMI persons or families.
- ✓ Public facilities or improvements can also qualify under the LMI housing national objective if the facility exclusively assists in the provision of housing to be occupied by LMI income households.
- ✓ If the grantee is undertaking public facilities or improvements under the LMI job creation and retention national objective category and more than one business will be served, the 51 percent LMI job requirement may be met by aggregating the jobs created or retained by affected businesses under the following criteria (§570.208(a)(4)(vi)(F):
 - If the CDBG cost per job created or retained is less than \$10,000 per FTE, the grantee must ensure that 51 percent of the jobs created or retained by the businesses for which the facility/improvement is principally undertaken are available to or held by LMI persons.
 - If the CDBG cost per job created or retained is \$10,000 or more per FTE, the grantee must ensure that 51 percent of the jobs created or retained by all businesses in the service area of the facility/improvement are available to or held by LMI persons. This includes all businesses, which as a result of the public facility/improvement, locate or expand in the service area between the date the activity is identified in the action plan and one year after completion of the facility/improvement. In addition, the assisted activity must comply with the public benefit standards found at 24 CFR 570.209(b).

Coastal Zone Management Act (CEST and EA)

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
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samoa	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

☐ Yes → Continue to Question 2.

☒ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

2. Does this project include activities that are subject to state review?

☐ Yes → Continue to Question 3.

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

3. Has this project been determined to be consistent with the State Coastal Management Program?

☐ Yes, with mitigation. → Continue to Question 4.

☐ Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

☐ No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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 December 22, 2025.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

i

Find address or place

×

Search to learn more about a location and its surrounding area.

Use one of the following search methods:

- Click the search box and type in an address or choose **Use current location**
- Click within the map

Results will include information about features of interest.



Endangered Species Act (CEST and EA)

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
References		
https://www.hudexchange.info/environmental-review/endangered-species		

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.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ 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.

Explain your determination:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☒ Yes, the activities involved in the project have the potential to affect species and/or habitats. → Continue to Question 2.

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

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation

may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

- ☒ Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

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.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. 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.

→ *Continue to Question 4, Informal Consultation.*

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

→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ☒ Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) *A biological evaluation or equivalent document*
- (2) *Concurrence(s) from FWS and/or NMFS*
- (3) *Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

☐ No, the Service(s) did not concur with the finding. → *Continue to Question 5.*

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ *Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) A biological assessment, evaluation, or equivalent document*
- (2) Biological opinion(s) issued by FWS and/or NMFS*
- (3) Any other documentation of formal consultation*

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

☐ Mitigation as follows will be implemented:

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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 12/22/2025, 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 (FWS) generated Project Code 2026-0030106.

There are no critical habitats within the project area under the FWS office jurisdiction. 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 Yellow-Billed Cuckoo, Oregon Spotted Frog, and Monarch Butterfly. The project will not impact these species as they have no habitat in the area.

Two species, 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. 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. 2. 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 within 0.5 miles of Census Tract 15.01, there have been no documented sightings on the river. The project will not impact the species.

One species, the Gray Wolf, has a final critical habitat identified. However, the area identified with the Threatened status does not include Bend. The area involves Western OR (that portion of OR west of the centerline of Highway 395 and Highway 78 north of Burns Junction and that portion of OR west of the centerline of Highway 95 south of Burns Junction). The project will not impact the species.

NOAA Fisheries provided map titled Figure 1 NMFS ESA Listed Species and Critical Habitat Designations in Oregon show that no listed species overlap Bend and the project area.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Endangered Species Act & Magnuson-Stevens Act Guidance for HUD Projects in Oregon

Prepared in collaboration with the U.S. Fish and Wildlife Service and the National
Marine Fisheries Service

General Requirements	Legislation	HUD Regulations
Section 7(a)(2) of the Endangered Species Act mandates that actions that are authorized, funded, or carried out by Federal agencies do not jeopardize the continued existence of plants and animals that are listed, or result in the adverse modification or destruction of designated critical habitat.	The Endangered Species Act of 1973; 16 U.S.C. 1531 et seq.	24 CFR 58.5(e) 24 CFR 50.4(e)
Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Federal agencies to consult with NOAA Fisheries on any action that they authorize, fund, or undertake that may adversely affect essential fish habitat (EFH).	Magnuson-Stevens Fishery Conservation and Management Act; 16 U.S.C. 1801	

The purpose of this document is to assist the U.S. Department of Housing and Urban Development (HUD) and their responsible entities¹ (REs) in meeting their compliance and documentation obligations under the Endangered Species Act (ESA) and the Magnuson-Stevens Fisheries Conservation and Management Act (MSA). The ESA is administered jointly by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) [collectively, “the Services”], while the MSA is administered solely by the NMFS. Nearly all HUD projects, including HUD funded, financed, subsidized, or guaranteed projects constitute a federal action requiring project review for compliance with the ESA and MSA.

The ESA requires all federal agencies to use their authorities to help conserve “*listed species*” (i.e., those listed as “*threatened*” or “*endangered*” under the ESA). Therefore, as HUD staff or designated REs, you are responsible for minimizing the effects of your actions on ESA-listed species, designated critical habitat, and habitats identified in recovery plans. An ESA effects analysis must consider all effects to ESA-listed species and designated critical habitat caused by a proposed action. Few HUD actions occur within designated critical habitat, where direct injury or harm to ESA-listed species or critical habitat is likely to occur or easy to discern. More often, however, some types of HUD projects have the potential to effect ESA-listed species and their critical habitats that are far removed from the actual project location.

The MSA requires federal agencies to evaluate the effect of their actions on habitats used by a range of marine species that are commercially harvested. These habitats are identified as “essential fish habitat” (EFH).² In many cases, projects that have the potential to affect critical habitat designated under the ESA have similar effects on EFH, particularly with respect to Chinook and coho salmon, which are regulated species under both the ESA and MSA. Project assessment for ESA and MSA impacts are typically conducted concurrently, as the species and habitats regulated by both acts tend to overlap.

This document is intended to describe the circumstances under which a finding of “*no effect*” on ESA- and MSA-regulated species, their critical habitats, and EFH occurring in Oregon might be appropriate. A project that reaches a finding of “*no effect*” does not require coordination with, or approval from, the USFWS and NMFS, and documenting a finding of “*no effect*” satisfies the ESA/MSA review obligations by HUD. Note that, a finding of “*no effect*” would preclude NMFS or USFWS issuing liability protection for violations of the ESA,

¹ A Responsible entity is a unit of local government (state, county, city) designated by HUD under 24 Code of Federal Regulations (CRF) Part 58.

² Essential Fish Habitat (EFH) has been designated for Pacific salmon (Chinook, coho, and pink salmon), coastal pelagic species, groundfish, and highly migratory species.

and is based on the premise the project would not result in the take³ of an ESA-listed species or result in adverse effects to critical habitat/EFH. However, if this determination is made in error, or if take does occur, HUD or the RE bears liability for such take.

HUD or the RE is solely responsible for making a finding of effect for a project and cannot defer responsibility to an external party. USFWS and NMFS rarely issue any correspondence for a “*no effect*” finding, except when there is strong disagreement about that finding. If you make a “*no effect*” finding for your project, document the circumstances and reason for your decision in a memo to the project file, as this will aid HUD should the project be reviewed internally or by another party. The worksheets presented in Part A and Part B of this document should be included in a project’s Environmental Review Record to document what finding of effect was reached. Since USFWS and NMFS manage and regulate different species and habitats, it is entirely possible to reach a different finding of effect for each Service.

Making an appropriate effects determination for both the ESA and MSA is an essential part of carrying out HUD’s obligation to use its federal authority to help conserve listed species. While there are a great number of HUD activities that will have “*no effect*” on federally-listed species, designated critical habitat, and EFH, there are a number of activities that will require further analysis, documentation, and consultation with USFWS and/or NMFS. As there are minor variations in process, this guidance is separated into multiple parts:

- Part A** Describes the “*no effect*” determination process for species and habitats under USFWS’ jurisdiction;
- Part B** Describes the “*no effect*” determination process for species and habitats under NMFS’ jurisdiction;
- Part C** Describes the process to initiate consultation with USFWS and/or NMFS if you are unable to reach a “*no effect*” finding for your project, and provides contact information for staff that can provide technical assistance in initiating the ESA consultation process;
- Part D** Includes a glossary of terminology frequently used when discussing the ESA and MSA.

Part A: Consultation with the U.S. Fish and Wildlife Service (USFWS)

USFWS’ trust resources are found in a wide range of habitats throughout Oregon, including forests, wetlands, bogs, rivers, lakes, reservoirs, coastal dunes, estuaries, grasslands, prairies, shrub-steppe, and mountains. USFWS species listed or proposed for listing under the ESA that are found in Oregon include plants, insects, mollusks, crustaceans, birds, mammals, reptiles, and amphibians. Project concerns for ESA-species under USFWS’ jurisdiction largely focus on preventing the destruction or loss of sensitive habitats (e.g., wetlands, prairie, oak savanna) that support ESA-listed species for all or part of their life history. Additional concerns include minimizing the adverse effects from construction and operation (e.g., noise, light, vibrations) that could temporarily or permanent impact habitats occupied by ESA-listed species, reducing the suitability of such habitats and/or disrupting essential life-stage activities of a listed species (e.g., nesting, feeding, migration). The following two steps will assist you in making a finding of effect for your project.

Step 1: Obtain Species List & Determine Critical Habitat

You must obtain a species list for the entire action area of your project. The action area encompasses all of the effects of the project, not just those that occur within the construction footprint. Project effects that extend beyond the project site itself and may include noise, air pollution, water quality, stormwater discharge, and visual disturbances. Additionally, effects to habitat must be considered, including the project’s

³ “Take” of a listed species is defined as, “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” [50 CFR 402.02]

effects on roosting, feeding, nesting, spawning and rearing habitat, overwintering sites, and migratory corridors.

Go to <https://ipac.ecosphere.fws.gov/> and log in or create an account to generate an official species list for the project area. Please note that this list includes listed, *proposed* and *candidate species* and designated and *proposed* critical habitats; consideration of project effects on *candidate species* is optional, unless the project's effects are very large (in this case, contact the local USFWS field office). However, *proposed species* or critical habitats may become listed as endangered or threatened species during the period of construction; a project with a protracted development schedule may opt to address *proposed species* as a way to reduce the potential need to reinitiate consultation with the USFWS, should the status of the *proposed species* or critical habitat be upgraded to threatened or endangered. If you have questions, contact the appropriate USFWS field office⁴ to discuss the species list for your area.

Step 2: Determine Effect

Question 1: Will the project's effects overlap with federally-listed or proposed species or designated or proposed critical habitat covered by USFWS?

Consider all effects of the project within the action area. The action area encompasses all the effects of the project, including those that occur beyond the boundaries of the property (such as noise, air pollution, water quality, stormwater discharge, visual disturbance).

- ☒ **NO, the project and all effects are outside the range of ESA-listed or proposed species and designated or proposed critical habitat covered by USFWS.** Therefore, the project will have **No Effect** on ESA-listed or proposed species or designated critical habitat.
- Record your finding of **No Effect** on species or habitats covered by USFWS, and include this documentation in your Environmental Review Record.
 - Attach a statement explaining how you determined that your project's effects do not overlap with species or habitat covered by USFWS.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- ☐ **YES, project effects may overlap with ESA-listed or proposed species or designated or proposed critical habitat covered by USFWS.** Therefore, your project could affect ESA-listed species and habitat.
- Continue to Question 2.

Question 2: Will the project occur on a previously developed site?⁵

- ☐ **YES, the project site has been, or currently is, developed.** Therefore, the project will have **No Effect** on ESA-listed or proposed species and/or designated or proposed critical habitat.
- Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, include in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project's effects do not impact species or habitat covered by USFWS.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- ☐ **NO, the project occurs on land that is not currently or has not been previously developed.**

⁴ <https://www.fws.gov/office/oregon-fish-and-wildlife/contact-us>

⁵ Previously developed land typically includes land that has had structures or other features of the built environment (e.g., parking areas, roads, buildings) constructed upon it such that the land does not offer suitable habitat for wildlife. Land that was previously used for agricultural or timber production are **not** considered "previously developed."

➤ Continue to Question 3.

Question 3: Is the project activity listed in Table 1 (following page) and does it meet all of the required parameters?

- ☐ **YES, the activity is listed in Table 1 and meets all of the required parameters.** Therefore, the project will have **No Effect** on ESA-listed or proposed species and/or designated or proposed critical habitat.
- Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project met the required parameters in Table 1.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- ☐ **NO, the project description does not match the activities in Table 1 and all of the specified criteria listed.**
- Continue to Question 4.

Question 4: Do you have some other basis for a *No Effect* determination, for example a biological assessment or other documentation from a qualified professional?⁶

- ☐ **YES, the project has professional documentation for a finding of *No Effect*.**
- Record your finding of **No Effect** and maintain this documentation, including the official species list and map of your project location, and include in your Environmental Review Record.
 - Attach the biological assessment or other professional documentation.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.
- ☐ **NO, the project does not have professional documentation for a finding of *No Effect* and *May Affect* a listed species and/or critical habitat.**
- The project **May Affect** listed or proposed species, or designated or proposed critical habitat. Consultation with the USFWS may be required. CONTACT THE USFWS TO DETERMINE THE APPROPRIATE EFFECTS DETERMINATION AND LEVEL OF CONSULTATION REQUIRED. Contact info is located in Part C.
 - Section 7 Consultation with NMFS may still be necessary. CONTINUE TO PART B.

Table 1: Potential *No Effect* Categories and Required Criteria

Purchase building or property:

- Does not change footprint of existing structures.
- Does not create new impervious surface area, either constructed or reconstructed.
- Does not involve ground disturbing activities.⁷

⁶ A “qualified professional” is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project’s action area.

⁷ Studies or surveys that do not require soil/ground disturbance are allowed. Wetland delineation, soil infiltration testing, and geotechnical drilling/boring are permitted.

Landscaping maintenance / improvement:

- Access and staging, source sites, and disposal sites have been assessed as part of the action.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.⁸
- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Pesticides or herbicides shall not be applied within 150 feet of an aquatic resource.
- Pesticides or herbicides shall not be applied if precipitation is predicted in upcoming 24 hours.
- Outside lighting should be directed downward to the ground and lighting must not illuminate aquatic resources occupied by ESA-listed species.
- Does not increase the amount of impervious surface.
- Removal/maintenance of hazard trees⁹ or similar vegetation is permitted, provided that the removal occurs outside of the breeding season (April 1 through August 31) and a qualified professional has documented that the tree does not provide habitat for ESA-listed species.¹⁰ In addition, an equivalent number of trees appropriate to the location are replaced.¹¹
- Does not result in wetland fill.

Interior rehabilitation:

- Applies only to existing structures.
- Access and staging, and source sites, have been assessed as part of the proposed action and occurs on previously developed land. The sites are located at least 150 feet away from any aquatic resources and include BMPs to prevent discharge of contaminants entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.).
- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

⁸ An aquatic resource, for the purposes of this opinion, includes: streams, rivers, ponds, lakes, wetlands, estuaries, or bays. The marine environment is not considered an aquatic resource, for the purposes of this guidance.

⁹ A "hazard tree" is a tree that has a structural defect that creates a risk of failure and resulting damage to people or property.

¹⁰ A "qualified professional" is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project's action area.

¹¹ An "appropriate tree" is one that will be the correct size and species for the specific location and that the selected location is appropriate for the selected tree species at maturity. An arborist can recommend an appropriate species for replacement.

Exterior repairs or improvements of existing structures:

- Does not increase the amount of impervious surface.
- Does not install, repair, or replace exterior artificial lighting on properties adjacent to aquatic resources that support ESA-listed species.
- All exterior lighting is directed downward to the ground.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.¹²
- Special projects directed to the removal of material or architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities (e.g., curb cuts, wheelchair ramps, or similar) do not impact areas of natural habitat, including wetlands or riparian areas, and all activities comply with state and local building codes and stormwater regulations.
- Does not result in wetland fill.
- Does not result in discharges of new or additional sources of stormwater to wetlands or waterbodies.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an approved sanitary or hazardous waste disposal site.

New construction or addition:

- Does not increase the amount of impervious surface.
- Does not remove vegetation or trees within 150 feet of an aquatic resource.
- Does not result in wetland fill.
- Will not impact an area of natural habitat, including wetlands or riparian areas.
- Complies with all state and local building codes and stormwater regulations.
- Does not result in discharges of new or additional sources of stormwater to wetlands or waterbodies.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

¹² An aquatic resource, for the purposes of this opinion, includes: streams, rivers, ponds, lakes, wetlands, estuaries, or bays. The marine environment is not considered an aquatic resource, for the purposes of this guidance.

Part B: Consultation with the National Marine Fisheries Service (NMFS)

As stated in the introduction, few HUD actions occur within the designated critical habitat of NMFS-managed species, where direct injury or harm to an ESA-listed species or destruction of critical habitat/EFH is likely to occur. However, there are often effects from many HUD projects that occur outside the construction site or property boundaries of a given project, which can reach critical habitat/EFH and effect listed species. By far, the largest concern for NMFS is the generation of stormwater runoff from new or redeveloped impervious surfaces (e.g., concrete, asphalt, roofing materials, compacted gravel).

Impervious surfaces prevent precipitation from absorbing into the soil, resulting in runoff into storm drains and waterways. Stormwater runoff can transport pollutants (e.g., soil, fertilizer, metals, pesticides, tire particles) that degrade water quality in streams, lakes, reservoirs, and rivers where ESA-listed/MSA species occur. Many of these pollutants persist for years in the environment and can be transported downstream hundreds of miles from their point of origin. Pollutants can also make their way into the food chain where they can harm listed species and degrade habitat suitability. Of particular concern are dissolved metals and tire particulates. Dissolved metals can be generated from the wearing of a vehicle's brake pads and certain types of metal roofing and siding. Dissolved metals can be carried hundreds of miles downstream and interfere with listed salmon and steelhead's ability to navigate back to their spawning streams, among a range of other sub-lethal effects. Rubber particulate matter is generated from the wearing of a vehicle's tires and can leach compounds into the aquatic environment that have both lethal and sub-lethal effects on listed fish.

Additionally, impervious surfaces interrupt the natural cycle of rainwater infiltration into soil by diverting large volumes of runoff into streams, wetlands, rivers, and lakes. When this occurs, the volume and velocity of stormwater discharge to a receiving water can result in adverse hydromodification: the degradation of aquatic systems as a result of changes to the physical condition of a waterbody. Stormwater runoff can cause stream channel erosion, loss of habitat features required by listed species (e.g., large wood, spawning gravels), direct injury to aquatic species, and the incremental loss of overall habitat quality.

Many HUD projects result in the creation or redevelopment of impervious surfaces (e.g., roadways, sidewalks, parking lots, building roofs), assessment of stormwater runoff from a project is the most likely way that you will interact with NMFS and the ESA-listed/MSA species and habitats under their authority. Additional guidance of NMFS' stormwater treatment and management criteria can be found in the appendices of the programmatic biological opinion issued by NMFS for HUD projects in Oregon.¹³

The following steps will assist you in making a finding of effect for your project.

Step 1: Obtain Species List & Determine Critical Habitat / Essential Fish Habitat

NMFS' trust resources occur primarily in the marine environment; however, these resources include a number of ESA-listed fish species that spend a portion of their lives in inland, freshwater streams, rivers, reservoirs, and lakes. Additionally, through the MSA, NMFS manages a number of groundfish species that spend a portion of their lives in river estuaries and bays. Most watersheds in Oregon are within or upstream of a waterbody occupied by an ESA-listed species or designated as critical habitat/EFH.¹⁴ As stormwater pollutants can be transported downstream and can persist in the environment, all projects that discharge post-construction stormwater have the potential to effect ESA-listed and MSA species and critical habitat/EFH. NMFS considers discharge of post-construction stormwater an **Adverse Effect** on these species and habitats. With few

¹³ National Marine Fisheries Service (NMFS). 2016. Endangered Species Act Section 7 Formal Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the U.S. Department of Housing and Urban Development Housing Programs in Oregon. West Coast Region. Portland, Oregon. July 25, 2016. [\[Insert link to appendices on HUD website or NMFS repository\]](#)

¹⁴ Exceptions include watersheds in: Harney, Klamath, Lake, and Malheur counties.

exceptions, discharge of post-construction stormwater extends from its point of origin to the nearest receiving water, then downstream, terminating at the Pacific Ocean.¹⁵ This means that most HUD projects that create new impervious surface area or replace existing impervious surface area are likely to have an adverse effect on NMFS listed species and critical habitat/EFH. Note that an **Adverse Effect** finding for a project does not necessarily preclude construction of the project, only that additional measure may be required in order to ensure the project's effects do not jeopardize listed species or adversely modify critical habitat/EFH.

Table 2 identifies the ESA-listed species under NMFS' jurisdiction that may be affected by your project; simply identify the area of the state in which your project occurs and see the ESA-listed species and critical habitat that may be affected. Figure 1, following page, depicts the geographic extent of NMFS' ESA-listed species and critical habitat occurrence in Oregon.

Table 2: NMFS' ESA-Listed Species & Critical Habitat Designations in Oregon		
Oregon Coast (Middle/Northern)¹⁶	Columbia River Basin	
Coho Salmon	Chinook Salmon	Sockeye Salmon
Oregon Coast Coho Salmon	Lower Columbia River	Snake River sockeye salmon
Southern Green Sturgeon	Upper Columbia River spring-run	Steelhead Trout
Southern Eulachon	Snake River spring/summer-run	Upper Columbia River
	Snake River fall-run	Lower Columbia River
Oregon Coast (Southern)¹⁷	Upper Willamette River	Middle Columbia River
Coho Salmon	Chum Salmon	Snake River basin
Southern Oregon-Northern California Coast Coho	Columbia River chum	Upper Willamette River
Southern Green Sturgeon	Coho Salmon	Southern Green Sturgeon
Southern Eulachon	Lower Columbia River coho	Southern Eulachon

Should you desire more specificity, NMFS maintains GIS data¹⁸ for the range and distribution of listed species and a web-based map application for identifying designated critical habitat and EFH.¹⁹ Familiarity with web-based GIS applications will be necessary to utilize these resources.

Essential fish habitat is the same throughout the state. If your project will discharge stormwater that reaches a receiving water, your project may adversely modify EFH for Pacific Salmon and Groundfish.

Oregon counties where ESA-listed species and critical habitat do not occur include: Harney, Klamath, Lake, and Malheur counties. Projects occurring in these counties are assumed to have "no effect" as the areas are inaccessible to species under NMFS' jurisdiction. There is currently uncertainty as to whether stormwater pollutants can be transported through major reservoirs in the Snake and Klamath rivers at concentrations sufficient to have an effect on downstream listed species and habitats. Please note that the counties listed above are only excluded from NMFS' managed species and habitats and that ESA-listed species and critical habitat under USFWS' jurisdiction may be present, so remember to complete Part A of this guidance.

If you need to assistance confirming whether your action is in proximity to ESA-listed salmon or steelhead, designated critical habitat, or EFH, please contact the appropriate NMFS office, identified in Part C

¹⁵ Exceptions to this finding are identified in Table 4.

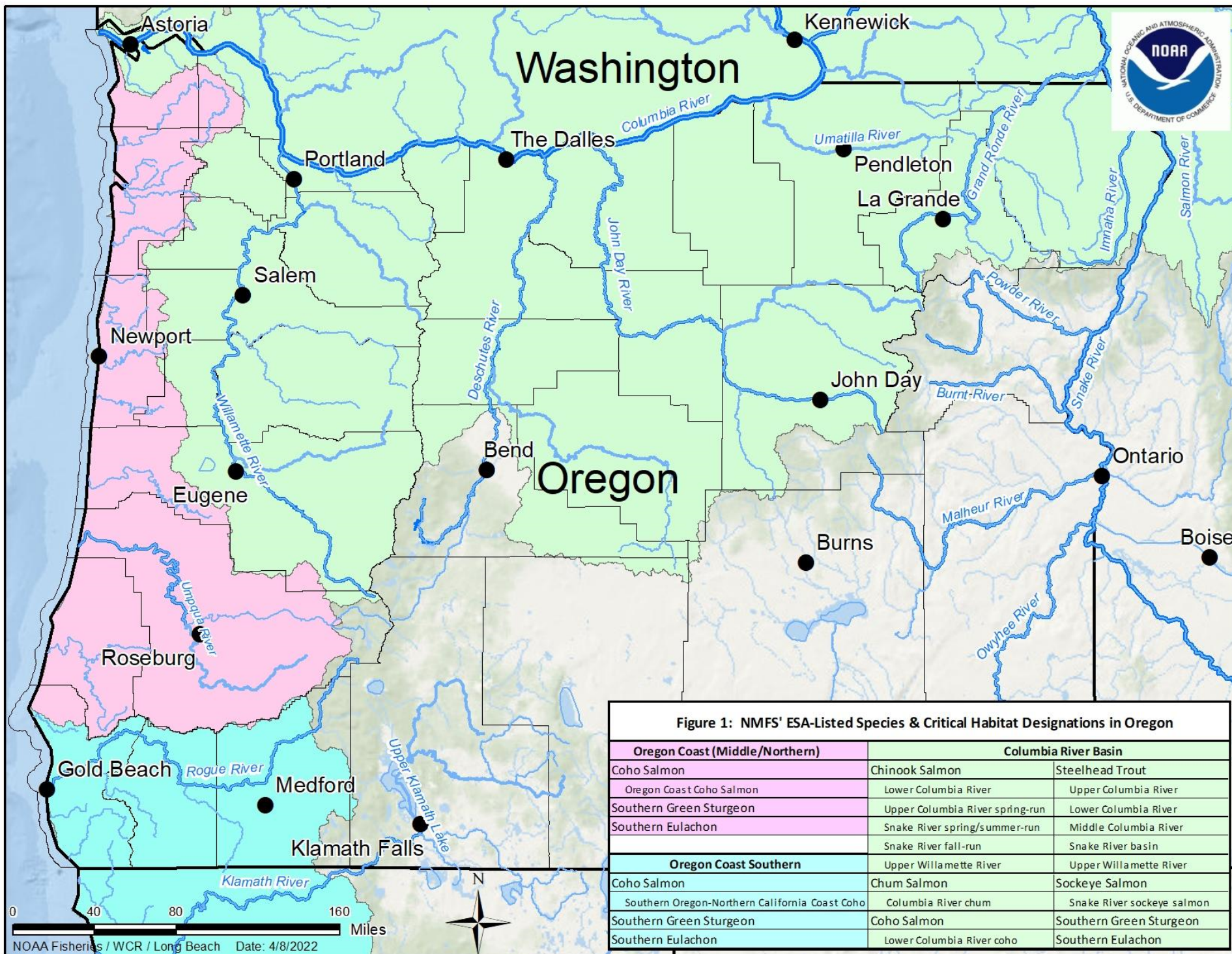
¹⁶ Extending from Cape Blanco north to the mouth of the Columbia River.

¹⁷ Extending from Cape Blanco south to the California border.

¹⁸ <https://www.fisheries.noaa.gov/resource/map/species-ranges-salmon-and-steelhead-west-coast-region>

¹⁹ Protected Resources App:

<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aacc9>



Step 2: Determine Effect

Question 1: Will the project's effects overlap with federally listed or proposed species, designated or proposed critical habitat, and/or essential fish habitat covered by NMFS?

Note that project effects include those that extend beyond the project site itself, such as noise, water quality, stormwater discharge, visual disturbance; habitat assessment must include consideration for feeding, spawning, rearing, overwintering sites, and migratory corridors.

- ☒ **NO, the project and all effects are outside the range of listed species and critical habitat covered by NMFS.** Therefore, the project will have ***No Effect*** on ESA-listed or proposed species or designated critical habitat/EFH.
- Record your determination of ***No Effect*** on species or habitats covered by NMFS.
 - Maintain documentation in your Environmental Review Record. For example, a map showing that your project is not in or upstream of a watershed of a listed species.
- ☐ **YES, project effects may overlap with ESA-listed species or designated critical habitat covered by NMFS.**
- Continue to Question 2.

Question 2: Is the project activity listed in Table 3 (following page) and does it meet all of the required parameters?

- ☐ **YES, the activity is listed in Table 3 and meets all the required parameters.** Therefore, the project will have ***No Effect*** on ESA-listed species and/or designated critical habitat/EFH.
- Record your determination of ***No Effect*** and maintain this documentation, including a species list and map of your project location, in your Environmental Review Record.
 - Attach a statement to your determination explaining how your project meets the required parameters in Table 3.
- ☐ **NO, the activity does not match those described in Table 3 and all of the specified parameters.**
- Continue to Question 3.

Question 3: Do you have some other basis for a ***No Effect*** determination, for example a biological assessment or other documentation from a qualified professional?²⁰

- ☐ **YES, the project has professional documentation for a ***No Effect*** determination.**
- Record your determination of ***No Effect*** and maintain this documentation, including a species list and map of your project location, in your Environmental Review Record.
 - Attach the biological assessment or other professional documentation.
- ☐ **NO, the project does not have professional documentation supporting a ***No Effect*** determination.**
- **YOU MUST INITIATE SECTION 7 CONSULTATION WITH NMFS.**
 - *Your project may qualify for inclusion under the Programmatic Biological Opinion for HUD Housing Projects in Oregon.* See Part C for additional details.
 - Contact information for NMFS offices provided in Part C.

²⁰ A "qualified professional" is a biologist trained in the assessment of habitat requirements of the ESA-listed species that overlap with your project's action area.

Table 3: Potential *No Effect* Categories and Required Criteria

Purchase building or property and:

- Does not change existing structures.
- Does not create new impervious surface area, either constructed or reconstructed.
- Does not modify existing stormwater collection or drainage patterns.
- Does not involve ground disturbing activities/construction.²¹

Landscaping maintenance/improvement:

- Does not remove riparian²² vegetation or trees within 150 feet of an aquatic resource.²³
- Does not increase hardscape area unless an equal area of impervious surface area is converted to pervious surface.

Specific landscaping maintenance/improvement criteria:

- New plantings shall be comprised of native species approved by the local jurisdiction. No planting of invasive species is permitted.
- Pesticides or herbicides shall not be applied within 150 feet of an aquatic resource.²⁰
- Pesticides or herbicides shall not be applied if precipitation is predicted in upcoming 24 hours.
- Outside lighting shall not illuminate aquatic resources occupied by ESA-listed species.
- Installation/maintenance of sprinkler irrigation systems shall be installed and maintained so that spray is directed away from pollution generating impervious surfaces.²⁴
- Removal/maintenance of hazard trees²⁵ or similar vegetation is permitted, so long as an equivalent number of trees appropriate to the location are replaced.^{26,27}

²¹ Studies or surveys that do not require soil/ground disturbance are allowed. Wetland delineation, soil infiltration testing, and geotechnical drilling/boring are permitted.

²² Riparian zones are the areas bordering rivers and other bodies of surface water. They include the floodplain as well as the riparian buffers adjacent to the floodplain. Riparian zones are visually defined by a greenbelt with a characteristic suite of plants that are adapted to and depend on the shallow water table.

²³ An aquatic resource, for the purposes of this guidance, includes: streams, rivers, ponds, lakes, wetlands, estuaries, bays, or other tidally influenced marine areas.

²⁴ A pollution generating surface, as used in this guidance, is a surface upon which motorized vehicles travel. Examples include, but are not limited to: parking lots, driveways, and roads.

²⁵ A "hazard tree" is a tree that has a structural defect that creates a risk of failure and resulting damage to people or property.

²⁶ An "appropriate tree" is one that will be the correct size and species for the specific location and that the selected location is appropriate for the selected tree species at maturity. An arborist can recommend an appropriate species for replacement.

²⁷ When replacing trees adjacent to impervious surface area, give preference to evergreen species (e.g., firs, pines), as they intercept precipitation and re-evaporate it back to the atmosphere, reducing stormwater generation.

Interior rehabilitation:

- Applies only to existing structures.
- Access and staging, and source sites, have been assessed as part of the proposed action. The sites are located at least 150 feet away from any aquatic resources and include BMPs to prevent discharge of contaminants entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.). No plantings of invasive species.
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

Any exterior repair or improvement that will not increase post-construction runoff and:

- Does not increase amount (area) of impervious surface area.
- Does not replace existing roof with new hot tar roofing methods, torch down roofing methods, treated wood, copper, or galvanized metal.²⁸
- Does not replace existing siding with galvanized sheeting.
- Does not install, repair, or replace exterior artificial lighting on properties adjacent to aquatic resources that support ESA-listed species.
- **Specific exterior repairs or improvements criteria:** New or replacement roof-mounted HVAC (or similar mechanical systems) for multi-family or commercial rooftop installation shall place such equipment under a roofed structure to prevent precipitation from leaching zinc into the runoff.
- Exterior repair or improvements to an existing structure located within a Special Flood Hazard Area (100-year floodplain) that does not increase structure footprint/does not reduce the amount of flood storage capacity, or remove native riparian vegetation.
- Special projects involving the removal of material or architectural barriers that restrict the mobility of and accessibility to the elderly and persons with disabilities (e.g., curb cuts, wheelchair ramps, or similar).
- Repair/maintenance of parking lots and access roads are limited to re-pavement, filling potholes/sealing, and re-painting. Repairs that require asphalt grinding or other methods of removal are excluded. Repairs that change the collection, conveyance, and discharge of surface runoff are excluded.
- Access and staging, and source sites have been assessed as part of the proposed action. The sites are located at least 150 feet away from the aquatic resource and include BMPs to prevent discharge of contaminants from entering waterbodies or stormwater systems (e.g., filter fabrics in catch basins, sediment traps, etc.).
- Disposal sites are approved for materials to be received. Waste materials are recycled or otherwise disposed of in an approved sanitary or hazardous waste disposal site.

²⁸ Galvanized flashing, gutters, or fasteners may be utilized as part of roofing systems, so long as they are coated or painted to prevent exposure to precipitation.

New construction or addition to an existing developed site if:²⁹

- The construction does not increase the amount (area) of impervious surface area.
- The existing impervious areas are currently treated by stormwater facilities that meet NMFS' stormwater standards and the current stormwater facilities will be sufficient to treat and manage all the stormwater from the proposed development.³⁰
- The construction complies with all state and local building codes and stormwater regulations.
- All waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

New construction on an undeveloped site that will create new impervious surface area / increase post-construction runoff if all of the following apply:

- The stormwater water quality design storm (50% of the 2-year, 24-hour storm) is treated for water quality; and
- All post-construction runoff through the 10-year storm event will be captured on-site and infiltrated or reused; and
- The proposed construction complies with all state and local building codes and stormwater regulations; and
- The proposed construction will not impact an area of natural habitat, a wetland, or riparian area; and
- Waste materials are recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.

²⁹ Examples include building a new structure over an existing parking lot, adding a second story to an existing structure, or similar.

³⁰ An engineer licensed in the state of Oregon will need to assess the existing stormwater infrastructure and the new construction and document the facilities' compliance in writing. Refer to HUD Programmatic Opinion appendices or contact NMFS.

Part C: Initiating Section 7 Consultation

If you completed the checklists in Part A and Part B of this document and determined there could be adverse effects to listed or proposed species, designated or proposed critical habitat, and/or essential fish habitat, then you may need to initiate section 7 consultation with NMFS and/or USFWS.

A project that does not meet the “*no effect*” determination criteria is considered a “*may affect*” action. There are two potential “*may affect*” determinations: “*may affect, not likely to adversely affect*” (NLAA) and “*may affect, likely to adversely affect*” (LAA). Contact USFWS and/or NMFS to determine whether the project can be modified to reach a “*no effect*” finding. If the project cannot be modified to avoid potential take of ESA-listed species or adversely effect on critical habitat/EFH, then additional consultation with USFWS and/or NMFS will be required to assist in making an appropriate determination.³¹

If the effects of the action, temporary or permanent, are insignificant, discountable, or entirely beneficial, the action is “*not likely to adversely affect*” ESA-listed or proposed species or designated critical habitats/EFH, and the section 7 consultation for the project will be informal. A “*May Affect, Not Likely to Adversely Affect*” determination is the most common outcome of consultation for HUD-funded projects with USFWS.

- *Discountable effects* are those extremely unlikely to occur. Based on the best available scientific and commercial data, and judgment, a person would not expect discountable effects to occur.
- *Insignificant effects* relate to the magnitude of the impact and should never reach the scale where “take” occurs. “Take” is defined to include “harass,” and “harm.” *Harm* can occur if habitat is altered in a manner that diminishes important species behavior, such as breeding, feeding, or sheltering, to the degree that it injures even a single individual of the species. *Harass* includes activities that alter an individual’s behavior in a manner that increases the likelihood of it being injured. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects.
- *Wholly beneficial effects* are very narrowly construed and cannot be interpreted to mean “better than before,” and cannot involve an analysis of net effects. All effects must be positive. If any adverse effect occurs, then the project is not wholly beneficial.

If the effects of the action on ESA-listed or proposed species and/or critical habitats/EFH are not discountable, insignificant, or entirely beneficial (i.e., *likely to adversely affect*), formal consultation must be initiated. In such cases, a formal consultation must be initiated prior to committing HUD resources to the project, by which the USFWS and/or NMFS assess the action’s potential to jeopardize the listed species, to result in the destruction or adverse modification of critical habitat/EFH, or to result in incidental take³² of a listed species. Formal consultation will result in the USFWS and/or NMFS issuing a Biological Opinion for the project, including an incidental take statement for project actions, if appropriate. The Biological Opinion will also include terms and conditions to minimize and/or avoid project impacts to ESA-listed species.

Because the constituents of stormwater runoff are particularly harmful to aquatic species, a “*May Affect, Likely to Adversely Affect*” determination is the most common outcome of consultation for HUD-funded projects with NMFS. To this end, NMFS has issued a Programmatic Biological Opinion for HUD Housing Projects in Oregon.³³ The programmatic Biological Opinion evaluates common HUD projects that result in

³¹ Please keep in mind that a beneficial effect is still an effect under the ESA, so a “*no effect*” finding is not appropriate for projects that may have wholly beneficial effects.

³² “Incidental take” refers to takings of an ESA-listed species 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]

³³ National Marine Fisheries Service (NMFS). 2016. Endangered Species Act Section 7 Formal Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the

stormwater generation³⁴ and proscribes best management practices (BMPs) and project design criteria (PDCs) to minimize and avoid impacts to listed species, critical habitat, and EFH. The BMPs and PDCs take the form of stormwater collection, treatment, and flow control (management) criteria and include the Low Impact Development (LID) approaches NMFS prefers to see incorporated into project design and site development.³⁵ If the criteria stipulated in the programmatic Biological Opinion can be met through project design, then formal consultation with NMFS can be completed through an expedited review process.³⁶ Use of the programmatic Biological Opinion is voluntary, but is offered as a mechanism to assist HUD in carrying out its mission in a timely and efficient manner.

Figure 2, following page, depicts the process for determining which ESA consultation method is appropriate for NMFS.

At any stage in making your determination, you may wish to contact the appropriate USFWS and NOAA Fisheries field offices for technical assistance. Contact information is available at:

NMFS Portland Regional Office
1201 Northeast Lyon Blvd, Suite 1100
Portland, OR 97232
503-230-5400
<http://www.westcoast.fisheries.noaa.gov/index.html>

USFWS, Oregon Fish and Wildlife Office
2600 SE 98th Ave, Suite 100
Portland, OR 97266
503-231-6179
<http://www.fws.gov/oregonfwo/>

For projects located in the **Klamath River Basin**, you must contact the appropriate office at:

DISCLAIMER: This document is intended as a tool to help grantees and HUD staff complete ESA requirements. This document is subject to change. This is not a policy statement, and the Endangered Species Act, Magnuson-Stevens Act, and associated regulations take precedence over any information found in this document.

NMFS Arcata Office
1655 Heindon Road
Arcata, CA 95521
707-825-5171
<https://www.fisheries.noaa.gov/contact/arcata-ca>

USFWS, Klamath Falls Fish and Wildlife Office
1936 California Avenue
Klamath Falls, Oregon 97601
541-885-8481
<http://www.fws.gov/klamathfallsfwo/>

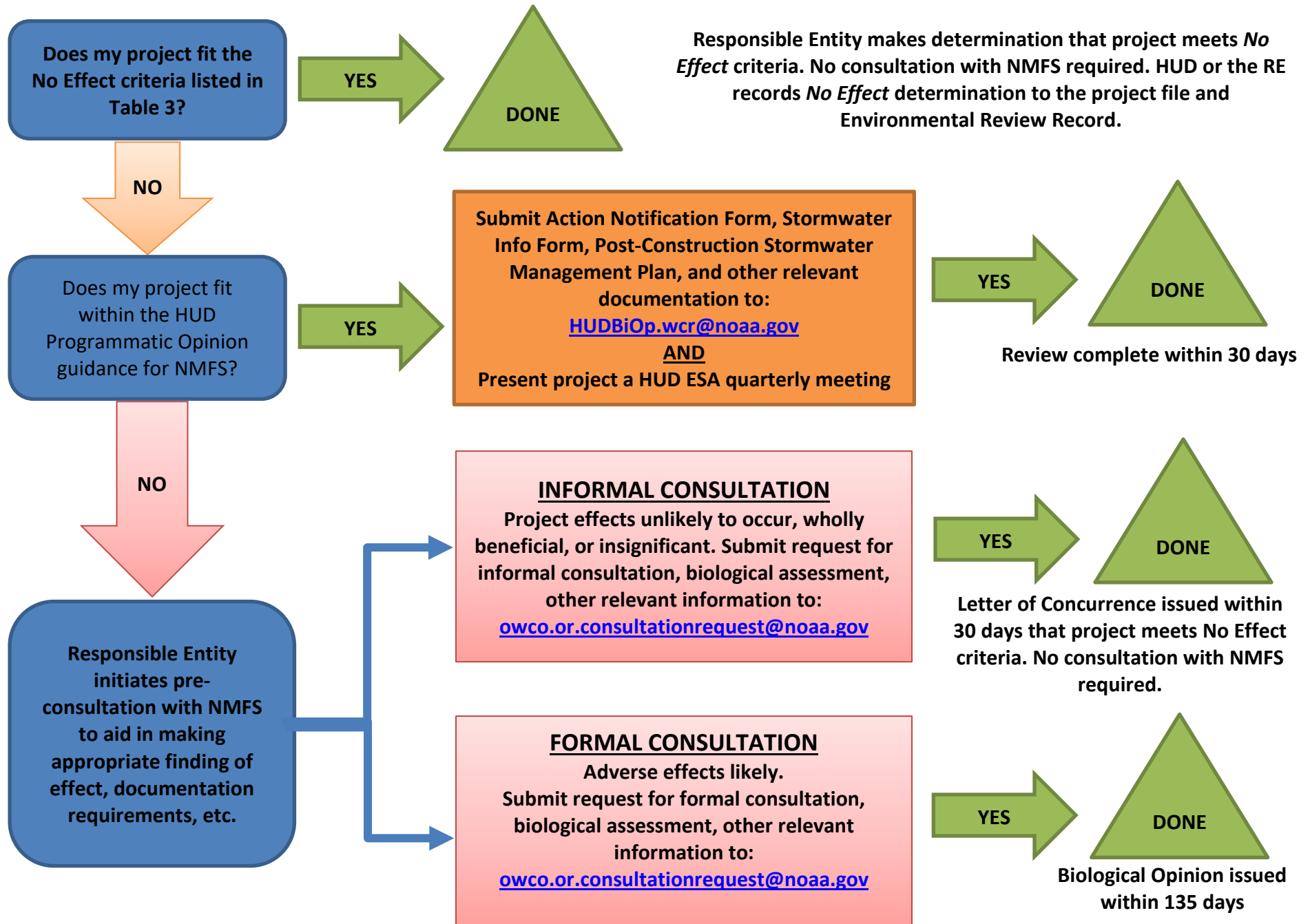
U.S. Department of Housing and Urban Development Housing Programs in Oregon. West Coast Region. Portland, Oregon. July 25, 2016. [<https://www.hud.gov/states/shared/working/r10/environment>]

³⁴ The range of projects evaluated in the BiOp is limited primarily to housing development, so check with NMFS to see if use of the programmatic BiOp is appropriate, if your project involves roadway construction/redevelopment, modification to a bridge or culvert stream crossing, stormwater facilities located in the riparian zone or floodplain, facilities not typically associated with housing (e.g., wastewater treatment plants, water treatment and supply facilities, any conveyance infrastructure entering or crossing an aquatic resource or its riparian zone.

³⁵ All stormwater criteria, BMPs, and PDCs are defined in the appendices of the Programmatic BiOp [<https://www.hud.gov/states/shared/working/r10/environment>].

³⁶ Typical review times for formal consultation are 145 days from receipt of a complete initiation package. Review times for the programmatic BiOp are typically less than 30 days from receipt of a complete initiation package.

FIGURE 2: NMFS ESA Consultation Process for HUD Projects in Oregon



Part D: Selected Resource / Glossary of Terms

Links to Section 7 Handbook and additional Section 7 resources:

- Consultation Fact Sheet: <https://www.fws.gov/endangered/esa-library/pdf/consultations.pdf>
- Section 7 Handbook: http://www.nmfs.noaa.gov/pr/pdfs/laws/esa_section7_handbook.pdf
- Overview of the Section 7 Process: <http://www.fws.gov/Midwest/endangered/section7/index.html>

Additional Resources for LID

- American Rivers, 2012, Banking on Green Report: Economic Benefits of Green Infrastructure Practices
- Clean Water Services, 2009, Low Impact Development Approaches (LIDA) Handbook
- ECO Northwest, 2009, LID at the Local Level - Developers' Experiences and City and County Support
- Herrera, 2013, Guidance Document: Western Washington LID Operation and Maintenance
- NCHRP, 2006, Evaluation of BMPs for Highway Runoff Control – LID Design Manual
- Oregon Department of Environmental Quality Template for LID Stormwater Manual for Western Oregon <https://www.oregon.gov/deq/wq/tmdls/Pages/TMDLs-LID.aspx>
- Prince George County, Maryland, 1999, Low-Impact Development Design Strategies
- Puget Sound Partnership, 2012, Low Impact Development: Technical Guidance Manual for Puget Sound
- US EPA, 2013, Stormwater to Street Trees: Engineering Urban Forests for Stormwater Management
- US EPA, 2005, Low Impact Development for Big Box Retailers
- Washington Department of Ecology Low Impact Development (LID) Guidance <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Low-Impact-Development-guidance#tab2>

Definitions & Terminology used in an ESA Review and Consultation

- **Action Area** includes all areas that will be affected directly or indirectly by the proposed action and not merely the immediate area involved in the action.
- **Built environment** includes all structures and paved areas like parking lots, patios, trails, retaining walls, sidewalks, streets, and amenities that prevent infiltration of rainwater into the water table.
- **Candidate Species** are plant and animal taxa considered for possible addition to the List of Endangered and Threatened Species. These are taxa for which the USFWS and NMFS have sufficient information on biological vulnerability and threat(s) to support issuance of a proposal to list, but issuance of a proposed rule is currently precluded by higher priority listing actions.
- **Critical Habitat** means those specific areas that have been designated by USFWS or NMFS (in a rule-making in the *Federal Register*) as essential to the conservation of a listed species.
- **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 (cumulative effects). A consequence is caused by the proposed action if it would not occur but for the proposed action occurring and if 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.

- **No effect** is the appropriate conclusion when the action agency determines its proposed action will not affect listed species or critical habitat. A determination of '*no effect*' must be supported in the environmental review record but does not require consultation with NMFS or USFWS.
- **May affect, not likely to adversely affect (NLAA)** is the appropriate conclusion when effects on listed species are expected to be **discountable**, or **insignificant**, or completely **beneficial**.
 - ✓ **Beneficial effects** are contemporaneous positive effects without any adverse effects to the species.
 - ✓ **Insignificant effects** relate to the size of the impact and should never reach the scale where take occurs. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects.
 - ✓ **Discountable effects** are those extremely unlikely to occur. Based on best judgment, a person would not expect discountable effects to occur.
- **May affect, likely to adversely affect (LAA)** is the appropriate conclusion if any adverse effect to listed species may occur because of the proposed action, and the effect is not discountable, insignificant, or beneficial. A determination of '*likely to adversely affect*' requires formal consultation under section 7 of the ESA; formal consultation results in a Biological Opinion from NMFS or USFWS. See Part C for additional information.
- **Impervious area** means artificial structures such as rooftops and pavements (e.g., driveways, parking lots, roads, sidewalks, trails) that are covered by impervious material like asphalt, brick, compacted soil, concrete, or stone.
- **Listed Species** means any species of fish, wildlife or plant that has been determined to be endangered or threatened under section 4 of the Endangered Species Act.
- **Nexus** means any action that is funded, authorized or carried out by a federal agency that may affect an ESA-listed species or habitats.
- **Post-construction runoff** means runoff from the built environment that extends off-site after a project's construction is complete.
- **Proposed Species** any species of fish, wildlife or plant that has been proposed by USFWS or NMFS in the *Federal Register* to be listed under section 4 of the Endangered Species Act.
- **Proximity** means areas or effects that occur near ESA-listed species or habitats in space or time, including areas where species roost, feed, nest, rear, overwinter, or migrate. NMFS considers projects that discharge post-construction stormwater to be in proximity with ESA-listed species or habitats that occur downstream of the discharge site.
- **Responsible entity** means the party authorized by HUD under 24 CFR Part 58 to complete any environmental review necessary for HUD to obligate funds.
- **Riparian area** means vegetation, habitats, or ecosystems that are associated with bodies of water, typically within 150-feet of a stream bank or the shoreline of a standing body of water.
- **Take** under the ESA is defined as actions that may harass, harm, pursue, hunt, shoot, wound, kill trap, capture, or collect, or to attempt to engage in any such conduct. The ESA also protects against interfering in vital breeding and behavioral activities or degrading critical habitat.



United States Department of the Interior

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



In Reply Refer To:

12/22/2025 22:55:34 UTC

Project Code: 2026-0030106

Project Name: City of Bend Sidewalks, Census Tracts 15.01, 18.01, 18.02

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This is not a consultation.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oregon Fish And Wildlife Office

2600 Southeast 98th Avenue, Suite 100

Portland, OR 97266-1398

(503) 231-6179

PROJECT SUMMARY

Project Code: 2026-0030106

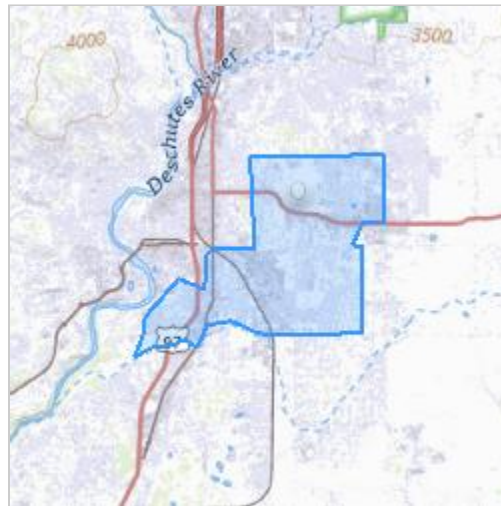
Project Name: City of Bend Sidewalks, Census Tracts 15.01, 18.01, 18.02

Project Type: Government / Municipal (Non-Military) Construction

Project Description: The City of Bend intends to install new sidewalk panels and correlating infrastructure road improvements over a period of 5 years to increase connectivity in low-income neighborhoods.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.049578600000004,-121.28635630251935,14z>



Counties: Deschutes County, Oregon

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is final critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered

BIRDS

NAME	STATUS
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

REPTILES

NAME	STATUS
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

AMPHIBIANS

NAME	STATUS
Oregon Spotted Frog <i>Rana pretiosa</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6633	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee <i>Bombus suckleyi</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 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 (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

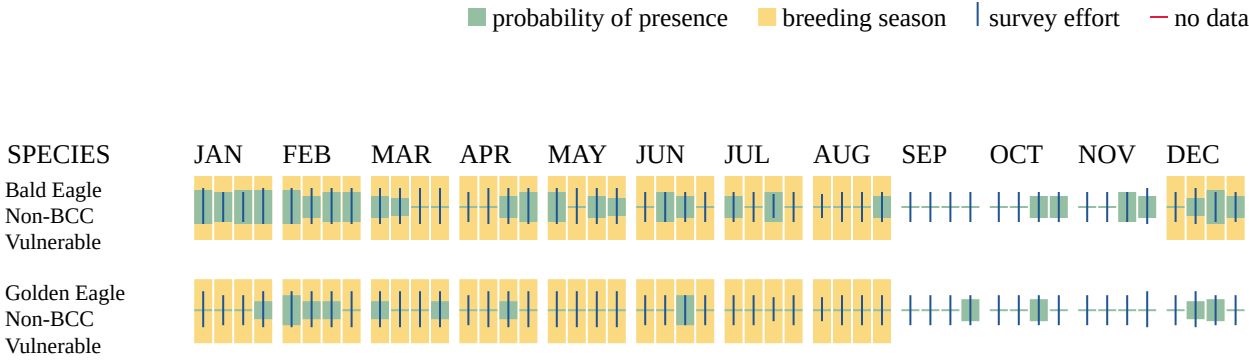
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



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 avoidance and minimization 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>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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
American Avocet <i>Recurvirostra americana</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11927	Breeds Apr 21 to Aug 10

NAME	BREEDING SEASON
American White Pelican <i>pelecanus erythrorhynchos</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/6886	Breeds Apr 1 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Swift <i>Cypseloides niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10
Broad-tailed Hummingbird <i>Selasphorus platycercus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11935	Breeds May 25 to Aug 21
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10955	Breeds Mar 1 to Jul 31
Calliope Hummingbird <i>Selasphorus calliope</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9526	Breeds May 1 to Aug 15
Cassin's Finch <i>Haemorhous cassinii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9465	Breeds May 15 to Aug 10
Flammulated Owl <i>Psilosops flammeolus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/7728	Breeds May 10 to Aug 15
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

NAME	BREEDING SEASON
Lewis's Woodpecker <i>Melanerpes lewis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9408	Breeds Apr 20 to Sep 30
Northern Harrier <i>Circus hudsonius</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8350	Breeds Apr 1 to Sep 15
Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Pinyon Jay <i>Gymnorhinus cyanocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9420	Breeds Feb 15 to Jul 15
Rufous Hummingbird <i>Selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Western Grebe <i>aechmophorus occidentalis</i> 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

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 (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

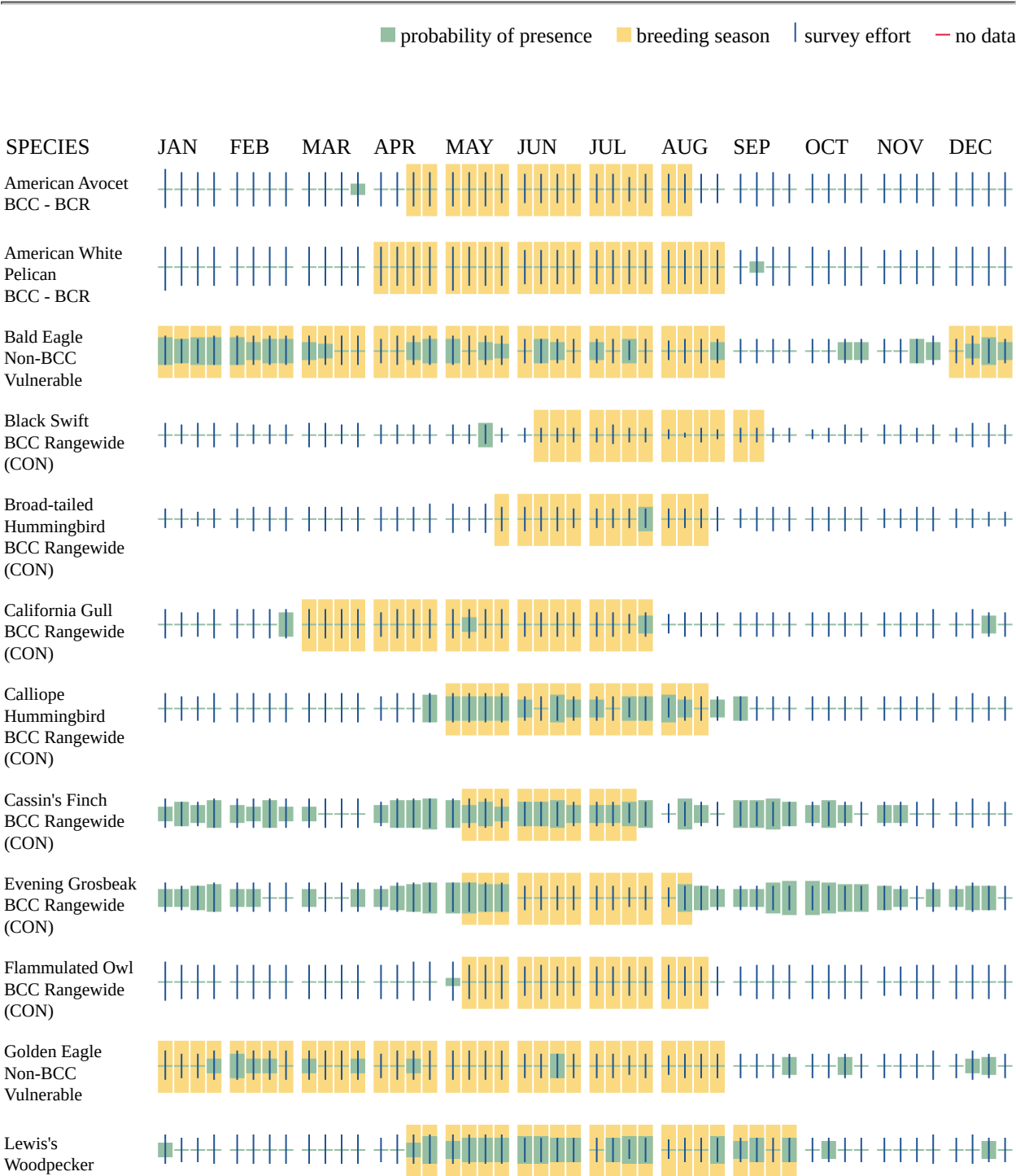
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

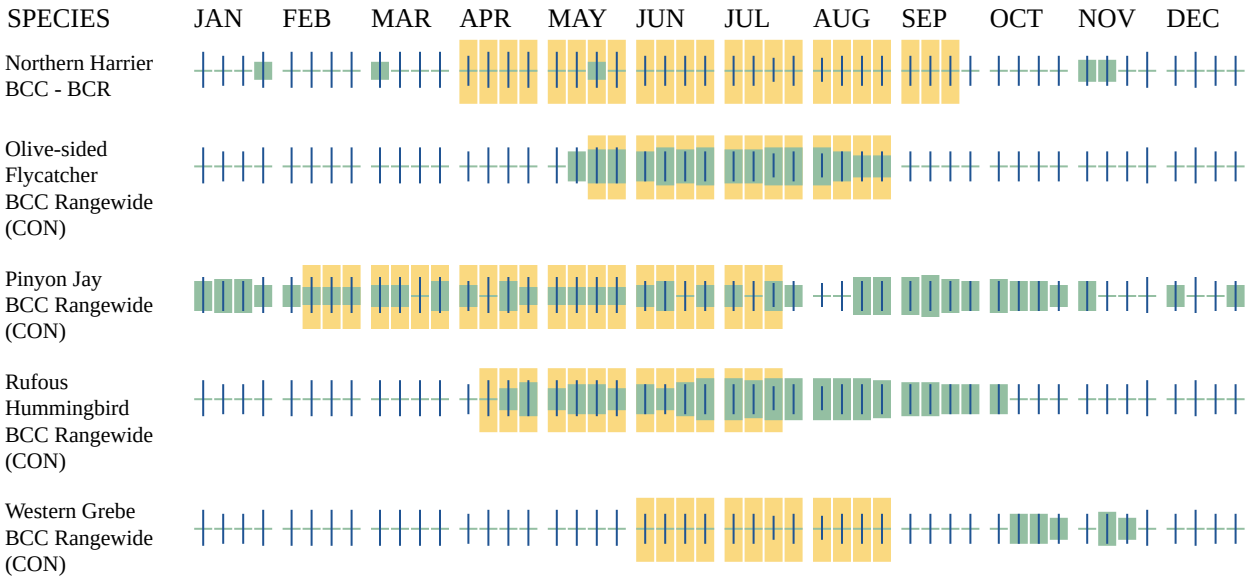
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



BCC Rangewide
(CON)



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 avoidance and minimization measures for birds
- 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>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBCx
- R3UBHx

Project code: 2026-0030106

12/22/2025 22:55:34 UTC

FRESHWATER POND

- PUBF_x

IPAC USER CONTACT INFORMATION

Agency: Bend city
Name: Mellissa Kamanya
Address: PO Box 431
City: Bend
State: OR
Zip: 97709
Email: mkamanya@bendoregon.gov
Phone: 5413825615

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development



OVERVIEW

Species Common Name	Species Scientific Name
Northwestern Pond Turtle	<i>Actinemys marmorata</i>
Federal Listing Status	State Listing Status
Species of Concern	Sensitive

ECOREGIONS



Coast Range

(/ecoregion/coast-range/)



East Cascades

(/ecoregion/east-cascades/)



Klamath Mountains

(/ecoregion/klamath-mountains/)



West Cascades

(/ecoregion/west-cascades/)



Willamette Valley

(/ecoregion/willamette-valley/)

SPECIAL NEEDS

Northwestern pond turtles are found in marshes, streams, rivers, ponds, and lakes. They use sparsely-vegetated ground nearby for digging nests and moist, shrubby or forested areas for aestivation and over-wintering. They require sunny logs/vegetation for basking and safe movement corridors between aquatic and terrestrial habitat.

LIMITING FACTORS

Life history traits make this species vulnerable to habitat loss and alteration of potential nesting sites (e.g., conversion, invasive plants). Road mortality, predation by raccoons, fish, and bullfrogs, and competition with invasive turtles are further risk factors.

DATA GAPS

Gather basic life history information. Describe population dynamics. Evaluate genetics. Assess the impacts of raccoons and invasive species (turtles, fish, and bullfrogs) on northwestern pond turtles. Evaluate the effects of herbicides, fertilizers, and other chemicals on eggs and hatchlings. Improve understanding of hatchling ecology.

CONSERVATION ACTIONS

Identify population centers. Use distribution data to establish priority areas for protection and management. Provide basking structures and nesting habitat. Control invasive plants and animals. Minimize disturbance in nesting areas. Protect adjacent upland habitat.

Implement the Oregon Department of Fish and Wildlife's Turtle **Best Management Practices**

(http://www.dfw.state.or.us/wildlife/living_with/docs/ODFW_Turtle_BMPs_March_2015.pdf).

Prevent illegal collection. Prevent release of pet turtles. Reduce risk of mortality from roads.

KEY REFERENCE OR PLAN

Conservation Assessment of the Western Pond Turtle (*Actinemys marmorata*) in Oregon (<http://www.fs.fed.us/r6/sfpnw/issssp/documents/planning-docs/ca-hr-actinemys-marmorata-2009-11.pdf>)

Visual Encounter Survey Protocol for Western Pond Turtles, April 2020

(https://www.dfw.state.or.us/conservationstrategy/docs/Appendix_N_VES_Protocol_April_2020.pdf)

2020 Field Packet: A companion document to the 2020 Northwestern Pond Turtle Survey Training

(https://www.dfw.state.or.us/conservationstrategy/docs/Appendix_O_2020_Surveyor_field_packet.pdf)

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ODFW Asks: Report Turtle Sightings

Date: July 11, 2008

Contact: Meg Kenagy, (503) 947-6021
Susan Barnes, (971) 673-6010

SALEM, Ore.—In an effort to keep Oregon's native turtles healthy, Oregon Department of Fish and Wildlife biologists ask Oregonians to be on the lookout for turtles this summer and to report any sightings.

"Turtles are often seen on land at this time of year," said Susan Barnes, ODFW wildlife biologist. "They are usually females in search of suitable nesting grounds to lay their eggs. The best thing to do is leave them alone and let them continue on their path."

Barnes also warns motorists driving along streams and rivers to watch for turtles crossing. "Our native turtles are in decline, so anything we can do this summer to protect them is helpful."

How to report a turtle sighting

Strategic Vision
Climate / Ocean Change
Tribal Relations
Volunteering



If you see a turtle, please report it via the Internet on the Native Turtles of Oregon website, <https://www.oregonturtles.com/>. If you do not have Internet access, call your local ODFW office.

Native turtles

Oregon has two native turtles: western painted and western pond, both of which are listed on the state sensitive species list and highlighted in the Oregon Conservation Strategy as species in need of help. Both turtles are dark brown or dull olive, but the western painted turtle is brightly decorated with a reddish lower shell and yellow stripes on its neck and legs. As adults, turtles are 4-9 inches long. Population declines are due to habitat loss, degradation of nesting areas by invasive plants, competition from non-native turtles, illegal collecting and disease.

Western pond turtles are found in the Coast Range, East Cascades, Klamath Mountains, West Cascades and Willamette Valley ecoregions. Western painted turtles occur in the Willamette Valley and Blue Mountain ecoregions and along the Columbia River.

It is not legal to hold native turtles in captivity. According to Barnes, if you want native turtles on your property, you have to attract them by providing suitable habitat. "Take the build-it-and-they-will-come approach," she said.

Non-native turtles

Unfortunately, there are also two species of non-native turtles in Oregon that out-compete native turtles for nesting areas, basking sites and suitable habitat. They are red-eared sliders and common snapping turtles. Red-eared sliders have red "ears" (markings) on the side of their heads. Snapping turtles are very large with a big head and long jagged tail; they are especially destructive as they consume native fish, plants and wildlife.

It is illegal in the state to buy, sell, possess or release either of these non-native turtles. If you've just realized you are in possession of a non-native turtle, contact your local ODFW office.

For more information

For more information about Oregon's native turtles, visit <http://www.willametteturtles.com/>

To see photos of native and non-native turtles, visit the ODFW website, <https://www.dfw.state.or.us/conservationstrategy/turtles.asp>

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Information on creating turtle-friendly habitat is available in ODFW's *Naturescaping* book which can be ordered by calling (503) 947-6000 or on the "Living with Wildlife" section of the website, https://www.dfw.state.or.us/wildlife/living_with/

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Species profile: Suckley's cuckoo bumble bee

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 English | [Español \(/es/catalog/pub/em-9505-species-profile-suckleys-cuckoo-bumble-bee\)](/es/catalog/pub/em-9505-species-profile-suckleys-cuckoo-bumble-bee)

Jess Tyler

EM 9505 | Published November 2020, Reviewed 2025 |

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(<https://www.addtoany.com/share?url=https%3A%2F%2Fextension.oregonstate.edu/sites/extension.oregonstate.edu/files/2020-11/jess-tyler.png?itok=MCdeo7dp>)



Suckley's cuckoo bumble bee (*Bombus suckleyi*) is named after a physician and naturalist who explored Oregon and Washington in the 1850s.

This species is a social parasite of the western bumble bee (*Bombus occidentalis*). It has been found in the mountainous areas of western North America from Colorado to Alaska. However, there have only been a few observations in the past 20 years with the last in 2017 in the Wallowa-Whitman National Forest.

Its decline is linked to the decline of its host species the western bumble bee. The US Fish and Wildlife Service made a decision about this species being listed under the Endangered Species Act and a listing decision is out for comments as of 2025. *Bombus suckleyi* hasn't been found by Oregon Bee Atlas volunteers, but finding this species would greatly help its conservation.



Want to learn more about this topic? Explore more resources from OSU Extension: [Bees and pollinators \(/gardening/pollinators\)](/gardening/pollinators)

(<https://extension.oregonstate.edu/sites/extension.oregonstate.edu/files/2020-11/jess-tyler.png?itok=MCdeo7dp>)

The last sighting of the Suckley's cuckoo bumble bee was in 2017 in the Wallowa-Whitman National Forest.

Credit: Hadel Go, American Museum of Natural History / [CC BY-NC](https://creativecommons.org/licenses/by-nc/4.0/) (<https://creativecommons.org/licenses/by-nc/4.0/>)

Published Nov 2020, Reviewed 2025

Author

Jess Tyler
Master Melittologist

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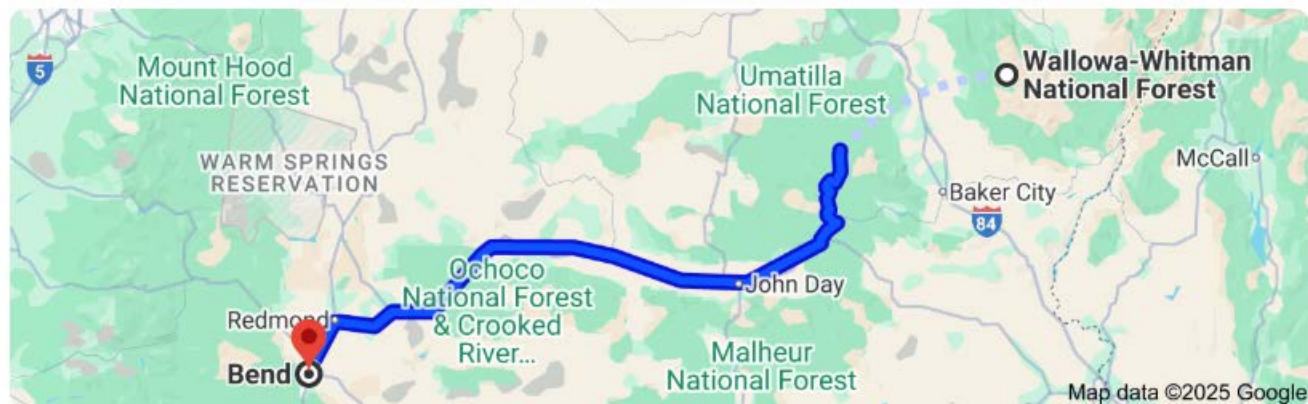
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Wallowa-Whitman National Forest, Baker City, OR 97814



Bend, Oregon



4 hr 51 min (216.2 mi) via US-26 W



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Gray wolf (*Canis lupus*)

[Range Information](#) | [Candidate Info](#) | [Federal Register](#) | [Recovery](#) | [Critical Habitat](#) | [SSA](#)
[Conservation Plans](#) | [Petitions](#) | [Biological Opinions](#) | [Life History](#)

Taxonomy: [View taxonomy in ITIS](#)

Listing Status: **Endangered** and others listed below



General Information

The Gray Wolf, being a keystone predator, is an integral component of the ecosystems to which it typically belongs. The wide range of habitats in which wolves can thrive reflects their adaptability as a species, and includes temperate forests, mountains, tundra, taiga, and grasslands. Gray wolves were originally listed as subspecies or as regional populations of subspecies in the contiguous United States and Mexico. In 1978, we reclassified the gray wolf as an endangered population at the species level (*C. lupus*) throughout the contiguous United States and Mexico, except for the Minnesota gray wolf population, which was classified as threatened. Gray wolf populations in Idaho and Montana were delisted due to recovery in 2011.

The species historical range included Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming. See below for information about where the species is known or believed to occur.

Population detail

The following populations are being monitored: Gray wolf

Current Listing Status Summary

Show entries

Status	Date Listed	Lead Region	Where Listed
		Mountain Prairie Region (Region 6)	
Experimental Population, Non-Essential		Mountain Prairie Region (Region 6)	CO experimental population (CO)
Endangered	03-09-1978	Mountain Prairie Region (Region 6)	U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MN, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of NM, OR, UT, and WA as follows: (1) Northern AZ (that portion north of the centerline of Interstate Highway 40); (2) Northern NM (that portion north of the centerline of Interstate Highway 40); (3) Western OR (that portion of OR west of the centerline of Highway 78 north of Burns Junction and that portion of OR west of the centerline of Highway 95 south of Burns Junction); (4) Most of Utah (that portion of UT south and west of centerline of Highway 84 and that portion of UT south of Highway 80 from Echo to Stateline); and (5) Western WA (that portion of WA west of the centerline of Highway 17 north of Mesa and that portion of WA west of the centerline of Highway 17 south of Mesa). Mexico. Additional species information

< Previous 1 Next >

Current Range

- **States/US Territories** in which this population is known to or is believed to occur: California, Michigan, Minnesota, Nevada, Oregon, Washington, Wisconsin
- **US Counties** in which this population is known to or is believed to occur: [View All](#)

- **USFWS Refuges** in which this population is known to occur: Crane Meadows National Wildlife Refuge, J. Clark Salyer National Wildlife Refuge, J. Clark Salyer Wetland Management District ...[Show All Refuges](#)
- **U.S.A. (MN)**
Listing status: Threatened
 - **States/US Territories** in which this population is known to or is believed to occur: Minnesota
 - **US Counties** in which this population is known to or is believed to occur: [View All](#)
 - **USFWS Refuges** in which this population is known to occur: Agassiz National Wildlife Refuge, Detroit Lakes Wetland Management District, Fergus Falls Wetland Management District ...[Show All Refuges](#)
- **Northern Rocky Mountain Distinct Population Segment: Montana, Idaho, Wyoming, eastern Washington, eastern Oregon, and north central Utah**
Listing status: Delisted due to Recovery
 - **States/US Territories** in which this population is known to or is believed to occur: Idaho, Montana, Oregon, Utah, Washington, Wyoming
 - **US Counties** in which this population is known to or is believed to occur: [View All](#)
 - **USFWS Refuges** in which this population is known to occur: Lost Trail National Wildlife Refuge, National Bison Range, Northwest Montana Wetland Management District-Flathead County
- **CO experimental population (CO)**
Listing status: Experimental Population, Non-Essential
 - **States/US Territories** in which this population is known to or is believed to occur: Colorado
 - **US Counties** in which this population is known to or is believed to occur: [View All](#)
 - **USFWS Refuges** in which this population is known to occur:

» **Candidate Information**

No Candidate information available for this species.

No Candidate Assessments available for this species.

No Candidate Notice of Review Documents currently available for this species.

No Uplisting Documents currently available for this species.

» **Federal Register Documents**

Federal Register Documents

Show

10

 entries

Date	Citation Page	Title	Supporting Documents
01/08/2025	90 FR 1419 1421	ETWP; 90-Day Finding on Two Petitions for Gray Wolf	<ul style="list-style-type: none">• Petition Form
02/07/2024	89 FR 8391 8395	Endangered and Threatened Wildlife and Plants; Finding for the Gray Wolf in the Northern Rocky Mountains and the Western United States	<ul style="list-style-type: none">• Species Assessment• Species Assessment
11/08/2023	88 FR 77014 77039	Establishment of a Nonessential Experimental Population of the Gray Wolf in Colorado; Final Rule	
11/03/2023	88 FR 75506 75512	Endangered and Threatened Wildlife and Plants; Reinstatement of Endangered Species Act Protections for the Gray Wolf (Canis Lupus) in Compliance With Court Order	
09/19/2023	88 FR 64399 64400	NOA, Final Environmental Impact Statement: Establishment of a Nonessential Experimental Population of the Gray Wolf in the State of Colorado	

Showing 1 to 10 of 80 entries

» Species Status Assessments (SSAs)

Species Status Assessments (SSAs)

Show 10 entries

Document Date	Document Version	Document Title
11/03/2025	1.1	Species Status Assessment for the Gray Wolf (Canis lupus) in the Eastern United States
12/22/2022	Version 1.0	Species Status Assessment for the Gray Wolf (Canis lupus) in the Western United States

Showing 1 to 2 of 2 entries

Special Rule Publications

Show 10 entries

Date	Citation Page	Title
11/08/2023	88 FR 77014 77039	Establishment of a Nonessential Experimental Population of the Gray Wolf in Colorado; Final Rule
01/28/2008	73 FR 4720 4736	Revision of Special Regulation for the Central Idaho and Yellowstone Area Nonessential Experimental Populations of Gray Wolves in the Northern Rocky Mountains
01/12/1998	63 FR 1752 1772	ETWP; Establishment of a Nonessential Experimental Population of the Mexican Gray Wolf in a New Mexico
11/22/1994	59 FR 60266 60281	ETWP; Establishment of a Nonessential Experimental Population of Gray Wolves in Central Idaho and Southwestern Montana
11/22/1994	59 FR 60252 60266	ETWP; Establishment of a Nonessential Experimental Population of Gray Wolves in Yellowstone National Park in Wyoming, Idaho and Montana
08/16/1994	59 FR 42118 42128	ETWP; Proposed Establishment of a Nonessential Experimental Population of the Gray Wolf in the Idaho Area
08/16/1994	59 FR 42108 42118	ETWP; Proposed Establishment of a Nonessential Experimental Population of Gray Wolf in Yellowstone National Park in Wyoming, Idaho, and Montana
12/12/1985	50 FR 50792 50793	Regulations Governing Gray Wolf in Minnesota; 50 FR 50792-50793

Showing 1 to 10 of 10 entries

» Recovery

- [Species with Recovery Documents Data Explorer](#)
- Recovery Priority Number: 3C

Current Recovery Plan(s)

Show 10 entries

Date	Plan Stage	Recovery Plan	Implementation Status	SSAs/Biological Reports	Recovery Implementation Strategies
11/03/2025	Exempt	Recovery Planning Exception Findings for the 44-State and Minnesota Listed Entities of Gray Wolves (Canis lupus)	View Implementation Progress	<ul style="list-style-type: none">Species Status Assessment for the Gray Wolf (Canis lupus) in the Western United States - 12/22/2023Species Status Assessment for the Gray Wolf (Canis lupus) in the Eastern United States - 11/03/2025	
01/31/1992	Final	Recovery Plan for the Eastern Timber Wolf - Revised	View Implementation Progress		
08/03/1987	Final Revision	Northern Rocky Mountain Wolf Recovery Plan	View Implementation Progress		

Showing 1 to 3 of 3 entries

Other Recovery Documents

Note: This report includes actual Five Year Review completions and notices as well as records that act as Five Year Review completions and notices.

Show 10 entries

Date	Citation Page	Title	Document Type
		lupus baileyi) by Listing It as Endangered; Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf; Proposed Rules	Proposed Rule
10/05/2011	76 FR 61782 61823	Endangered and Threatened Wildlife and Plants, Removal of the Gray Wolf in Wyoming From the Federal List of Endangered and Threatened Wildlife and Removal of the Wyoming Wolf Population's Status as an Experimental Population	<ul style="list-style-type: none">Delisting
05/05/2011	76 FR 25590 25592	Endangered and Threatened Wildlife and Plants; Reissuance of Final Rule To Identify the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife	<ul style="list-style-type: none">Delisting
09/14/2010	75 FR 55730 55735	90-Day Finding on Petitions To Delist the Gray Wolf in Minnesota, Wisconsin, Michigan, and the Western Great Lakes	<ul style="list-style-type: none">Delisting petition Substantive
04/02/2009	74 FR 15123 15188	Final Rule To Identify the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife	<ul style="list-style-type: none">Delisting
04/02/2009	74 FR 15070 15123	Final Rule To Identify the Western Great Lakes Populations of Gray Wolves as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife	<ul style="list-style-type: none">Delisting

Showing 1 to 10 of 18 entries

Five Year Reviews

Note: This report includes actual Five Year Review completions as well as records that act as Five Year Review completions.

Show 10 entries

Date	Title
11/03/2020	Removing the Gray Wolf (Canis lupus) From the List of Endangered and Threatened Wildlife; Final Rule
02/20/2012	Gray Wolf (Canis lupus) 5-Year Review

Showing 1 to 2 of 2 entries

< Previous

1

Next >

Delisting

Show 10 entries

Date	Title
02/01/2008	Gray Wolf Final RDM

Showing 1 to 1 of 1 entries

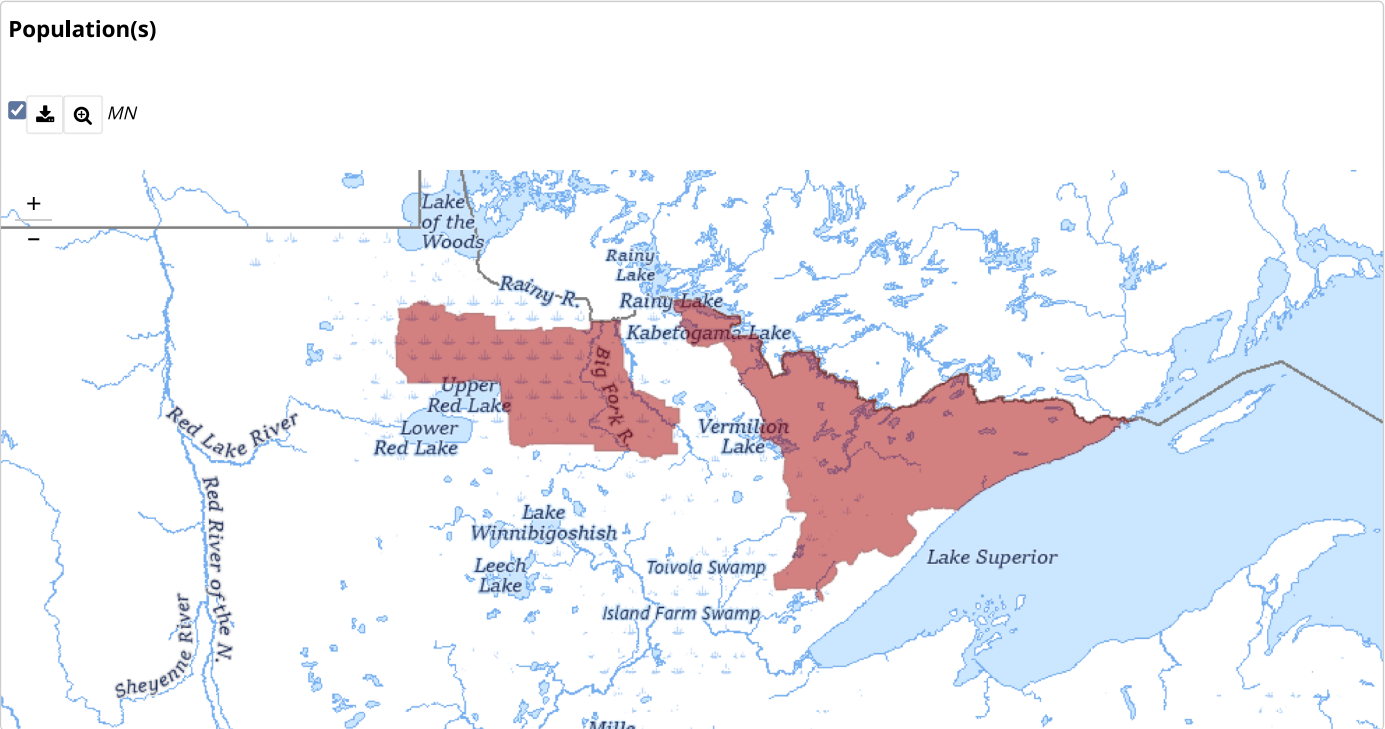
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» Critical Habitat

Critical Habitat Spatial Extents



Critical Habitat Documents

Show 10 entries

Date	Citation Page	Title	Critical Habitat Shapefile	Doc Typ
03/09/1978	43 FR 9607 9615	Reclassification of the Gray Wolf in the U.S. and Mexico with Determination of Critical Habitat in Michigan and Minnesota		Fi

Showing 1 to 1 of 1 entries

< Previous

1

Next >

To learn more about critical habitat please see <https://ecos.fws.gov/crithab>

» Conservation Plans

HCP Plan Summaries	
West Fork Timber HCP (formerly Murray Pacific)	
WDNR Forest Lands HCP	
City of Tacoma, Tacoma Water HCP	
City of Tacoma, West Fork HCP	

< Previous 1 Next >

SHA Plan Summaries

< Previous 1 Next >

Petition Title	Date Received by the FWS	Where the species is believed to or known to occur	Petitioner Name	Requested Action	Petition Finding(s)	Active	Petition Document
Wolf, Mexican gray (Canis lupus baileyi); Amend 10(j) rule to ban all traps and snares	06/11/2010	AZ	<ul style="list-style-type: none">Jean OssorioSouthwest Environmental CenterWildEarth GuardiansRio Grande Chapter Sierra Club	<ul style="list-style-type: none">APA: Other	<ul style="list-style-type: none">12m petition finding Not Warranted on 10/09/2012	Yes	
Wolf, gray (Canis lupus); Rocky Mountain DPS; designate and delist	07/15/2005	CA, ID, MI, MN, MT, NV, OR, UT, WA, WI, WY, United States	<ul style="list-style-type: none">State of Wyoming Governor Dave Freudenthal	<ul style="list-style-type: none">ESA - Petitioned for Delisting: Due to error - New information	<ul style="list-style-type: none">Petition findings not yet made	No - Not Withdrawn	
Wolf, gray (Canis lupus); Retain ESA	10/03/2012	CA, MI, MN, NV, OR, WA,	<ul style="list-style-type: none">John M. Glowa The Maine	<ul style="list-style-type: none">APA: Other	<ul style="list-style-type: none">12m petition	No - Not Withdrawn	

Showing 1 to 10 of 25 entries

< Previous	1	2	3	Next >
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» Biological Opinions

To see all FWS Issued Biological Opinions please visit the [BO Report](#).

» Life History

Habitat Requirements

Wolves are habitat generalists and lived throughout the northern hemisphere. They only require ungulate prey and human-casued mortality rates that are not excessive.

Food Habits

Ungulates [wild and domestic] are the typical prey of wolves, but wolves also readily scavenge. Beaver are among the smallest important prey but wolves can utilize smaller mamals, birds, and fish.

Movement / Home Range

Wolves packs defend their territories from other wolves. Territory size is a function of prey density and can range from 25-1,500 square miles. Both male and female wolves disperse at equal rates and equal distances, sometimes >600 miles.

Reproductive Strategy

Normally first breed as yearlings and once a year in February. One to 10 pups [normally ~5] are born 63 days later. Pups normally stay with pack until > 1 year old.

» Other Resources

[NatureServe Explorer Species Reports](#)-- NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

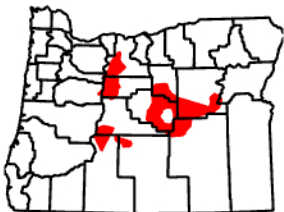
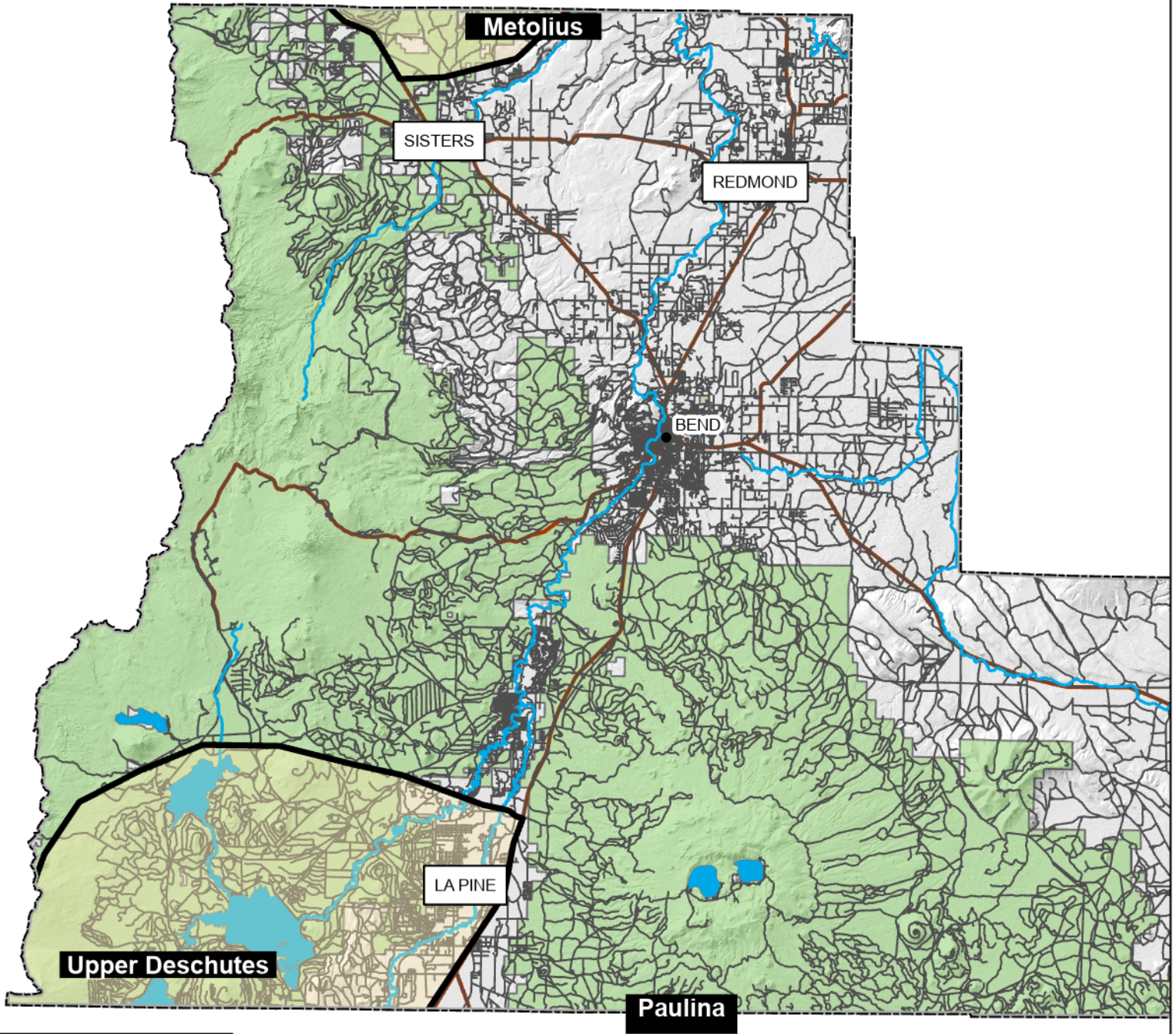
[ITIS Reports](#)-- ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

[FWS Digital Media Library](#). -- The U.S. Fish and Wildlife Service's National Digital Library is a searchable collection of selected images, historical artifacts, audio clips, publications, and video." +

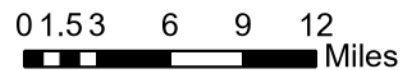


Area of Known Wolf Activity Deschutes County

 Known Wolf Use Area



12/31/2024





United States Department of the Interior

FISH AND WILDLIFE SERVICE

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



In Reply Refer To:

12/22/2025 22:55:34 UTC

Project Code: 2026-0030106

Project Name: City of Bend Sidewalks, Census Tracts 15.01, 18.01, 18.02

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This is not a consultation.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oregon Fish And Wildlife Office

2600 Southeast 98th Avenue, Suite 100

Portland, OR 97266-1398

(503) 231-6179

PROJECT SUMMARY

Project Code: 2026-0030106

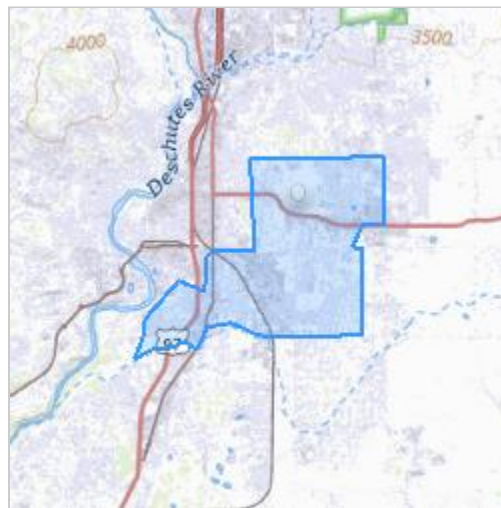
Project Name: City of Bend Sidewalks, Census Tracts 15.01, 18.01, 18.02

Project Type: Government / Municipal (Non-Military) Construction

Project Description: The City of Bend intends to install new sidewalk panels and correlating infrastructure road improvements over a period of 5 years to increase connectivity in low-income neighborhoods.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.049578600000004,-121.28635630251935,14z>



Counties: Deschutes County, Oregon

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is final critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered

BIRDS

NAME	STATUS
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

REPTILES

NAME	STATUS
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

AMPHIBIANS

NAME	STATUS
Oregon Spotted Frog <i>Rana pretiosa</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6633	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee <i>Bombus suckleyi</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 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 (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

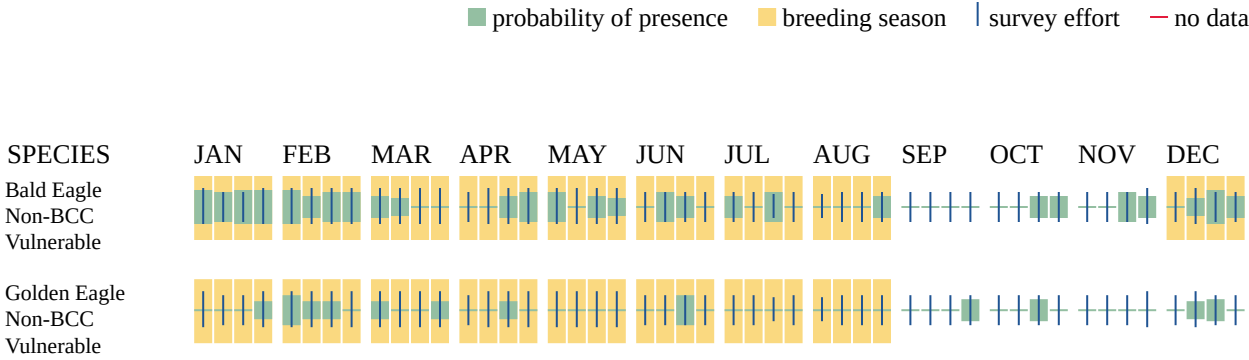
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



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 avoidance and minimization 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>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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
American Avocet <i>Recurvirostra americana</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11927	Breeds Apr 21 to Aug 10

NAME	BREEDING SEASON
American White Pelican <i>pelecanus erythrorhynchos</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/6886	Breeds Apr 1 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Swift <i>Cypseloides niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10
Broad-tailed Hummingbird <i>Selasphorus platycercus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11935	Breeds May 25 to Aug 21
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10955	Breeds Mar 1 to Jul 31
Calliope Hummingbird <i>Selasphorus calliope</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9526	Breeds May 1 to Aug 15
Cassin's Finch <i>Haemorhous cassinii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9465	Breeds May 15 to Aug 10
Flammulated Owl <i>Psilosops flammeolus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/7728	Breeds May 10 to Aug 15
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

NAME	BREEDING SEASON
Lewis's Woodpecker <i>Melanerpes lewis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9408	Breeds Apr 20 to Sep 30
Northern Harrier <i>Circus hudsonius</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8350	Breeds Apr 1 to Sep 15
Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Pinyon Jay <i>Gymnorhinus cyanocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9420	Breeds Feb 15 to Jul 15
Rufous Hummingbird <i>Selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Western Grebe <i>aechmophorus occidentalis</i> 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

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 (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

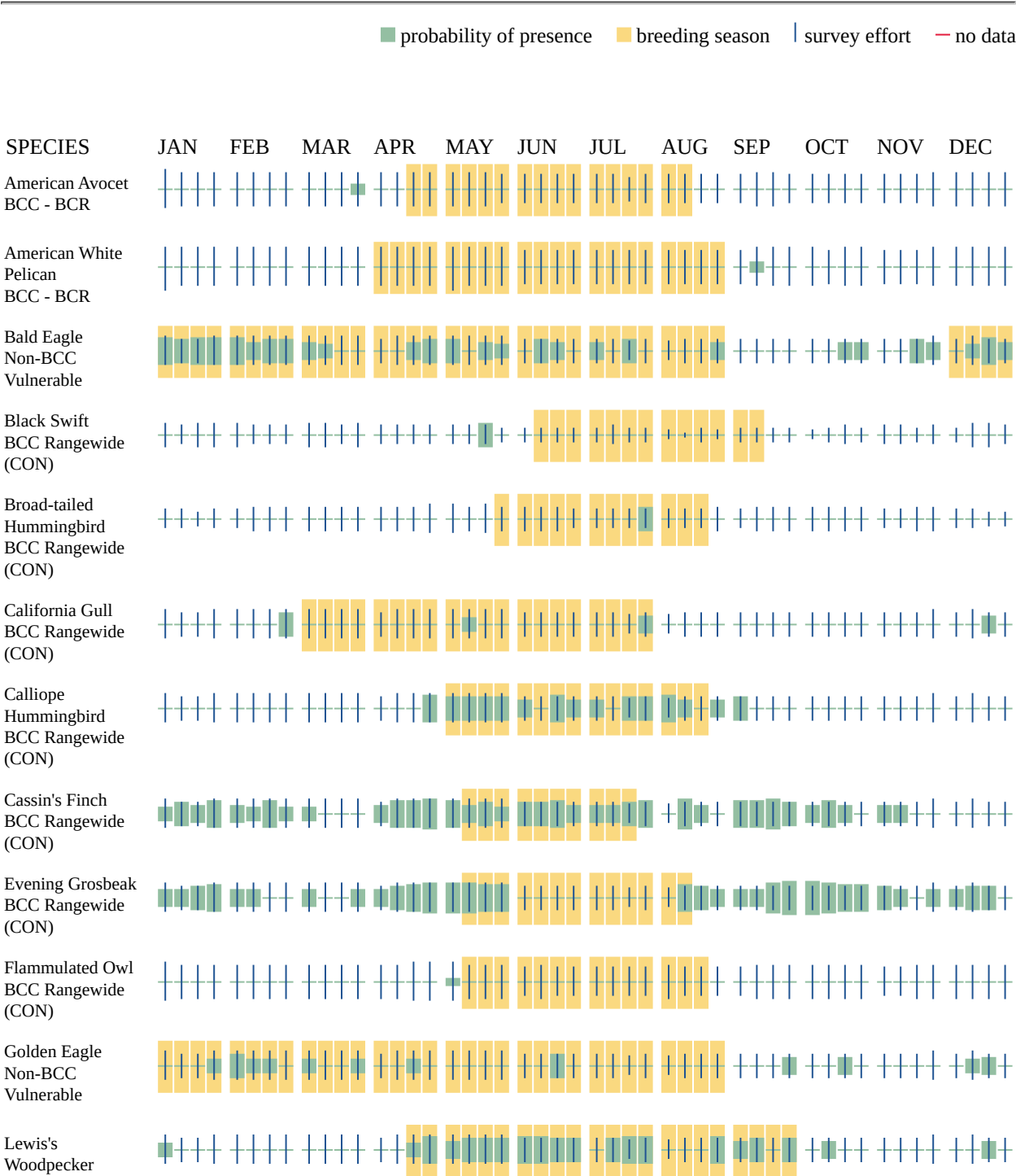
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

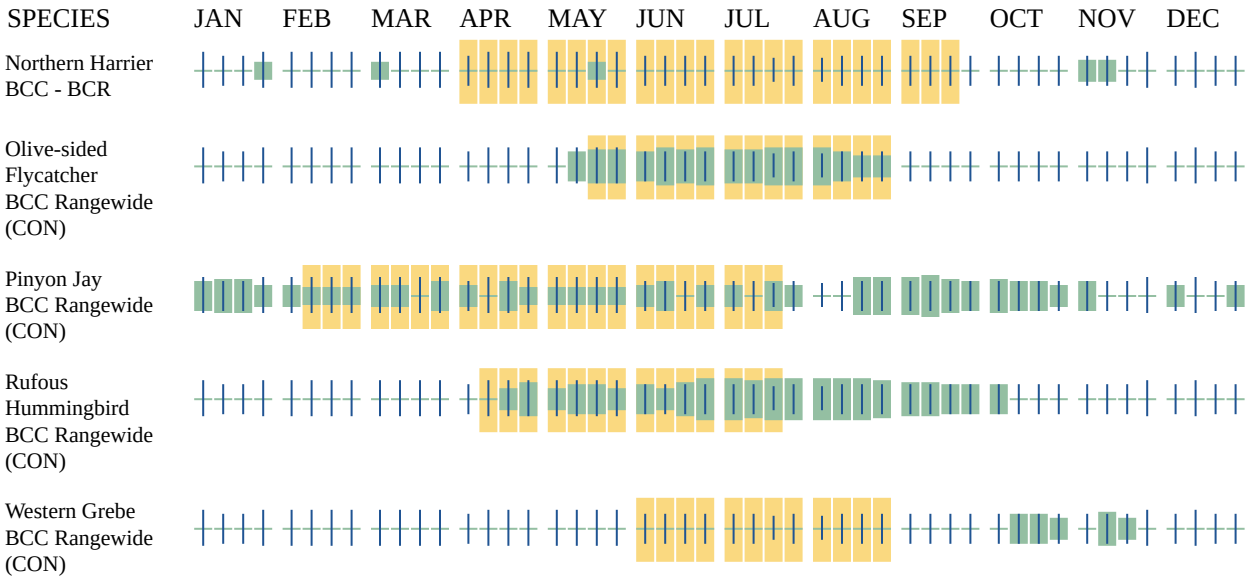
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



BCC Rangewide
(CON)



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 avoidance and minimization measures for birds
- 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>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBCx
- R3UBHx

Project code: 2026-0030106

12/22/2025 22:55:34 UTC

FRESHWATER POND

- PUBF_x

IPAC USER CONTACT INFORMATION

Agency: Bend city
Name: Mellissa Kamanya
Address: PO Box 431
City: Bend
State: OR
Zip: 97709
Email: mkamanya@bendoregon.gov
Phone: 5413825615

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

Explosive and Flammable Hazards (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

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

→ Continue to Question 2.

☐ Yes

Explain:

→ Go directly to Question 5.

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

☒ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☐ Yes

→ Continue to Question 3.

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 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. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

☐ Yes

→ *Continue to Question 4.*

- 4. Visit HUD’s website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the [electronic assessment tool](#). To document this step in the analysis, please attach the following supporting documents to this screen:**

- **Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and**
- **Electronic assessment tool calculation of the required separation distance.**

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

☐ Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

☐ No

→ *Go directly to Question 6.*

- 5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?**

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

☐ Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*

☐ No

→ *Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*
Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is in compliance with explosive and flammable hazard requirements.

The sidewalk and road improvement project does not include the development of a hazardous facility, nor does it include development, construction, rehabilitation that will increase residential densities or conversion.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Farmlands Protection (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

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

Explain how you determined that agricultural land would not be converted:

Areas of sidewalk construction and road improvements are adjacent to either low-to-moderate income housing, areas with concentrations of persons living with physical disabilities, or assisted living facilities. Each sidewalk panel and road infrastructure improvement are in fully developed areas with all utilities in place, none of these sites are adjacent to vacant, undeveloped lots. No agricultural land is included in the project scope.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.

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

- Project on land already in or committed to urban development or used for water storage ([7 CFR 658.2\(a\)](#)). To check whether the project location is located in an urbanized area, use the following US Census Bureau application: [TIGERweb](#)
 - Construction limited to on-farm structures needed for farm operations
 - Construction is limited to new minor secondary (accessory) structures such as a garage or storage shed
- ☐ Yes → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination
- ☐ No → Continue to Question 3.

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?

You may use the links below to determine important farmland occurs 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 http://soils.usda.gov/contact/state_offices/ for assistance

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

☐ Yes → *Continue to Question 4.*

4. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, “Farmland Conversion Impact Rating” http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

☐ Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

☐ Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project does not include activities that could convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Areas of sidewalk construction and road improvements are adjacent to existing low-to-moderate income housing, areas with concentrations of persons living with physical disabilities, or assisted living facilities. Each sidewalk panel and road infrastructure improvement are in fully developed areas with all utilities in place, none of these sites are adjacent to vacant, undeveloped lots. No agricultural land is included in the project scope.

Census tracts 15.01, 18.20, and 18.02 are designated 'Urban Areas'. Consulted with the US Census TIGERweb at <https://tigerweb.geo.census.gov/tigerweb2020/> on December 22, 2025.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Floodplain Management (CEST and EA)

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 <u>4001-4128</u> 42 USC 5154a	24 CFR 55

Reference

<https://www.hudexchange.info/environmental-review/floodplain-management>

- Does this project meet an exemption at [24 CFR 55.12](#) from compliance with HUD's floodplain management regulations in Part 55 or utilize the delayed compliance date for certain Office of Housing programs?**

☐ Yes

Select the applicable citation at [24 CFR 55.12](#) and provide supporting documentation for the determination if applicable.

- ☐ HUD-assisted activities described in 24 CFR 58.34 and 58.35(b)
- ☐ HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19
- ☐ 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 projection, open space, or park land, but only if:
 - The property is cleared of all existing buildings and walled structures; and
 - The property is cleared of related improvements except those which:
 - Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);
 - Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and
 - Are designed to be compatible with the beneficial floodplain or wetland function of the property.
- ☐ 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
- ☐ Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions
- ☐ 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.

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☐ Yes. Office of Housing programs utilizing the January 1, 2025 compliance date. These reviews must comply with the 2013 version of the Part 55 regulations. Continue to Worksheet Summary for 2013 version to upload supporting documentation.

☒ No. Continue to Question 2.

2. Does the project include a Critical Action?

☐ Yes. Describe the 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. Continue to Question 4.

☒ No. Continue to Question 3.

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 information to determine flood elevation. Include documentation and an explanation of why this

is the best available information for the site. Note that newly constructed and substantially improved 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.

a. Does your project occur in the FFRMS floodplain?

☐ Yes, continue to part b.

☒ No. Review for floodplain management is complete.

b. Is your project located in any of the floodplain categories below? Select all that apply. If none apply, continue to question 7.

☐ Floodway: *Continue to Question 5. Floodways.*

☐ Coastal High Hazard Area (V Zone) or Limit of Moderate Wave Action (LiMWA): *Continue to Question 6. Coastal High Hazard Areas and LiMWAs.*

4. 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), or the higher of the 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 information to determine flood elevation. Note that newly constructed and substantially improved structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Utilize CISA to determine the FFRMS floodplain for critical actions

☐ CISA for Critical Actions. If using a local tool, ensure that the FFRMS elevation provided is higher than the 0.2 PFA or 3' above the base flood elevation.

OR;

Choose the higher of 0.2 PFA or FVA elevations

☐ 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. For critical actions, the FFRMS floodplain is the area that results from adding three feet to the base flood elevation as established by the effective FEMA 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.

a. Does your project occur in the FFRMS floodplain?

☐ Yes, continue to part b.

☐ No. Review for floodplain management is complete.

b. Is your project located in any of the floodplain categories below? Select all that apply. If none apply, continue to question 7.

☐ Floodway: *Continue to Question 5. Floodways.*

☐ Coastal High Hazard Area (V Zone) or LiMWA: *Continue to Question 6. Coastal High Hazard Areas and LiMWAs.*

5. Floodways

Do the floodway exemptions at [55.8](#) or [55.21](#) apply?

☐ Yes

The 8-Step Process is required. Document mitigation measures necessary to meet the requirements in 55.8 or 55.21. Provide a completed 8-Step Process, including the early public notice and the final notice.

Continue to Question 7. 8-Step Process.

☐ No

Federal assistance may not be used at this location. You must either choose an alternate site or cancel the project at this location.

6. Coastal High Hazard Area (V Zone) and LiMWAs

Do the exemptions at [55.8](#) or [55.21](#) apply?

☐ Yes

The 8-Step Process is required. Document mitigation measures necessary to meet the requirements in 55.8 or 55.21. Provide a completed 8-Step Process, including the early public notice and the final notice.

Continue to Question 7. 8-Step Process.

☐ No

Federal assistance may not be used at this location. You must either choose an alternate site or cancel the project at this location.

7. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

☐ 8-Step Process is inapplicable per 55.13.

Select the applicable citation:

- ☐ (a) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging, or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway, coastal high hazard area, or LIMWA;
- ☐ (b) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(12);
- ☐ (c) HUD or a recipient's actions involving the disposition of individual HUD or recipient held, one- to four-family properties;
- ☐ (d) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573), where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance;
- ☐ (e) The approval of financial assistance to lease units within an existing structure located within the floodplain, but only if;
 - (1) The structure is located outside the floodway or coastal high hazard area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and
 - (2) The project is not a critical action; and
 - (3) The entire structure is or will be fully insured or insured to the maximum extent available under the NFIP for at least the term of the lease.
- ☐ (f) Special projects for the purpose of improving efficiency of utilities or installing renewable energy that involve the repair, rehabilitation, modernization, weatherization, or improvement of existing structures or infrastructure, do not meet the thresholds for "substantial improvement" under § 55.2(b)(12), and do not include the installation of equipment below the FFRMS floodplain elevation.

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☐ 5-Step Process is applicable per 55.14.

Provide documentation of 5-Step Process.

Select the applicable citation:

- ☐ (a) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
- ☐ (b) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.
- ☐ (c) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not increased by more than 20 percent.
- ☐ (d) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not increased by more than 20 percent
- ☐ (e) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, or replacement of existing nonstructural improvements including streets, curbs and gutters, where any increase of the total impervious surface area of the facility is de minimis. This provision does not include critical actions, levee systems, chemical storage facilities (including any tanks), wastewater facilities, or sewer lagoons.

Continue to Question 8. Mitigation.

- ☐ 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

Continue to Question 8. Mitigation.

8. Mitigation

For the project to comply with this section, all adverse impacts must be mitigated. Explain in detail the measures that must be implemented to mitigate the impact or effect, including the

timeline for implementation. Note: newly constructed and substantially improved structures within the FFRMS floodplain must be elevated to the FFRMS floodplain elevation or floodproofed, if applicable.

Which of the following if any mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- ☐ Buyout and demolition or other supported clearance of floodplain structures
- ☐ Insurance purchased in excess of statutory requirement under the Flood Disaster Protection Act of 1973
- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology
- ☐ Planting or restoring native plant species
- ☐ Bioswales
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements or similar easements
- ☐ Floodproofing of structures as allowable (e.g. non-residential floors)
- ☐ Elevating structures (including freeboard above the required base flood elevations)
- ☐ Levee or structural protection from flooding
- ☐ Channelizing or redefining the floodway or floodplain through a Letter of Map Revision (LOMR)

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- FIRM panel numbers
- CISA data or maps
- Information on other data or tools used or accessed
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project is not within a FFRMS floodplain and no further evaluation is needed under this section. The project is in compliance with Floodplain Management.

In Bend, the only special designation on the FEMA map is Deschutes River, a Regulatory Floodway, and the project area does not overlap it. The project includes census tracts 15.01, 18.01, and 18.02, and none of the tracts include areas designated as 500-year or 100-year floodplains. For this evaluation, FEMA maps were pulled for each involved census tract at the edge closest to the Deschutes River. All are designated as “Area of Minimal Flood Hazard”.

Consulted the FEMA Flood Map Service Center website on 12/23/2025.

Include all documentation supporting your findings in your submission to HUD

Are formal compliance steps or mitigation required?

☐ Yes

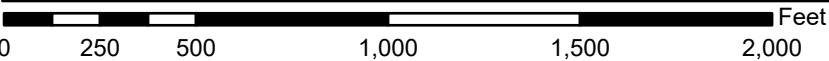
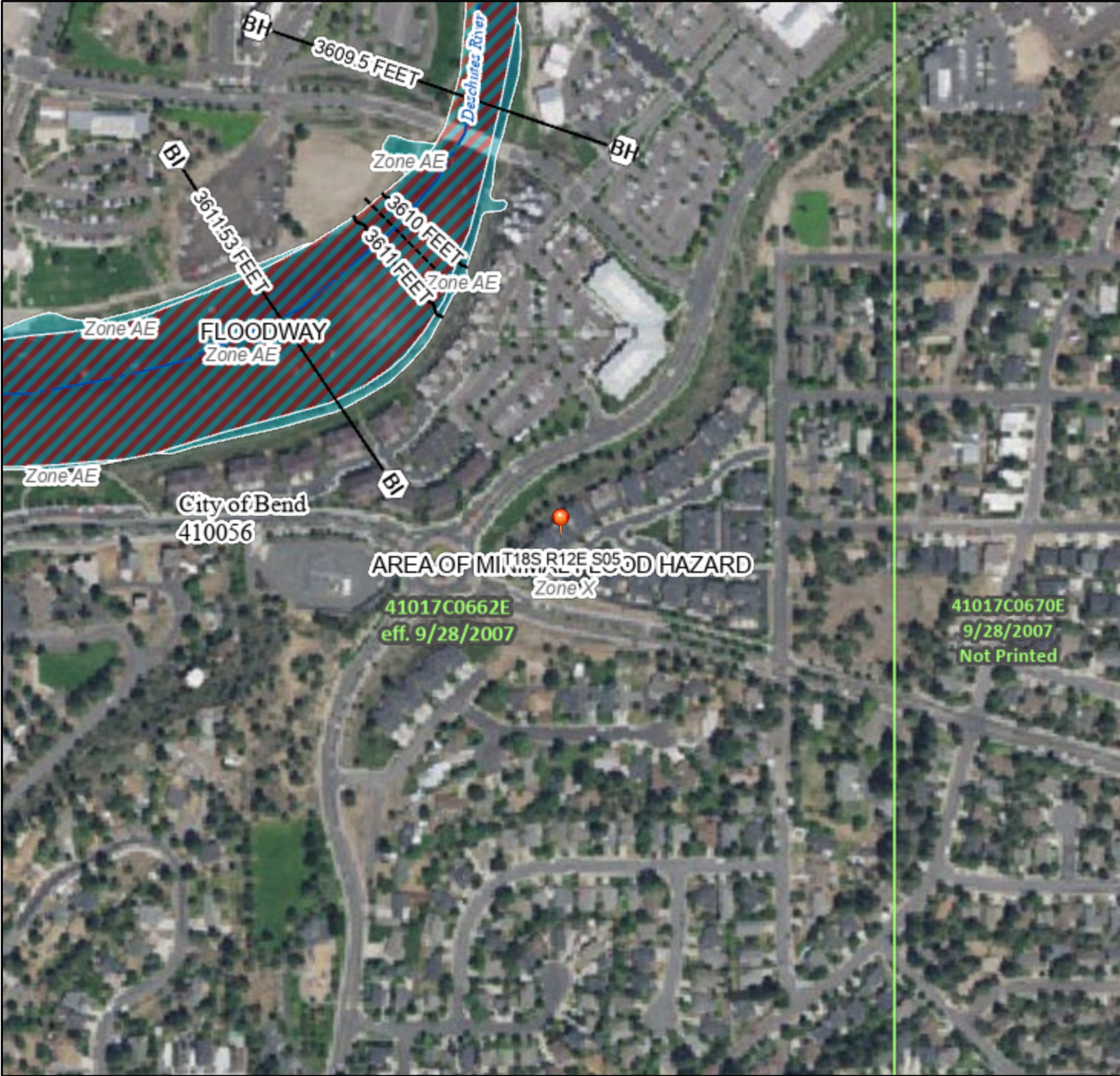
☒ No

National Flood Hazard Layer FIRMette

census tract 15.01



121°19'15"W 44°2'39"N



1:6,000

121°18'37"W 44°2'13"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
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		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 12/23/2025 at 7:17 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.

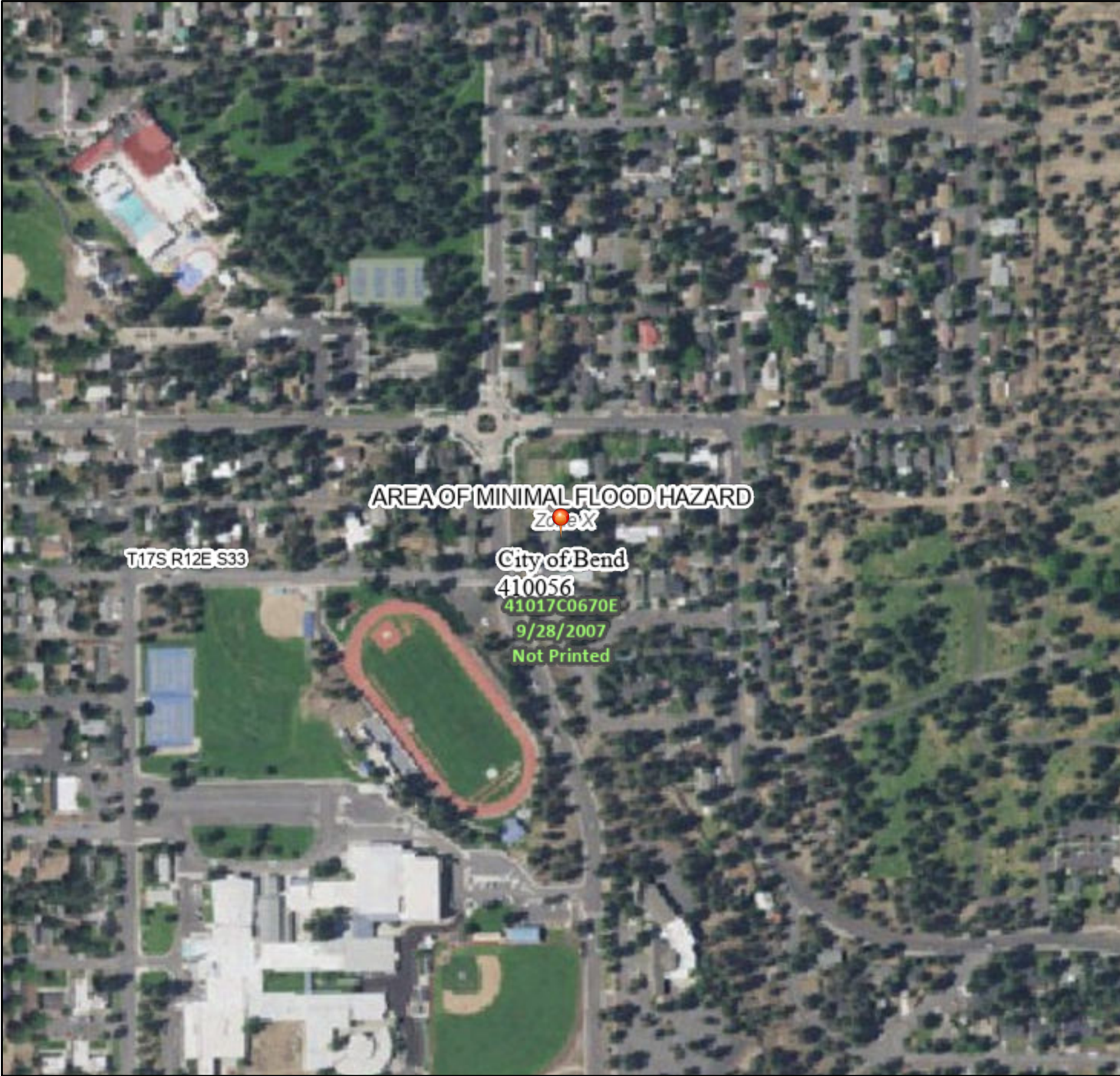
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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

National Flood Hazard Layer FIRMMette

census tract 18.01



121°17'54"W 44°3'32"N



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

1:6,000

121°17'17"W 44°3'6"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 Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



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 **12/23/2025 at 7:28 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.

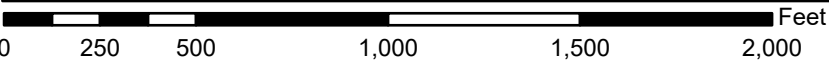
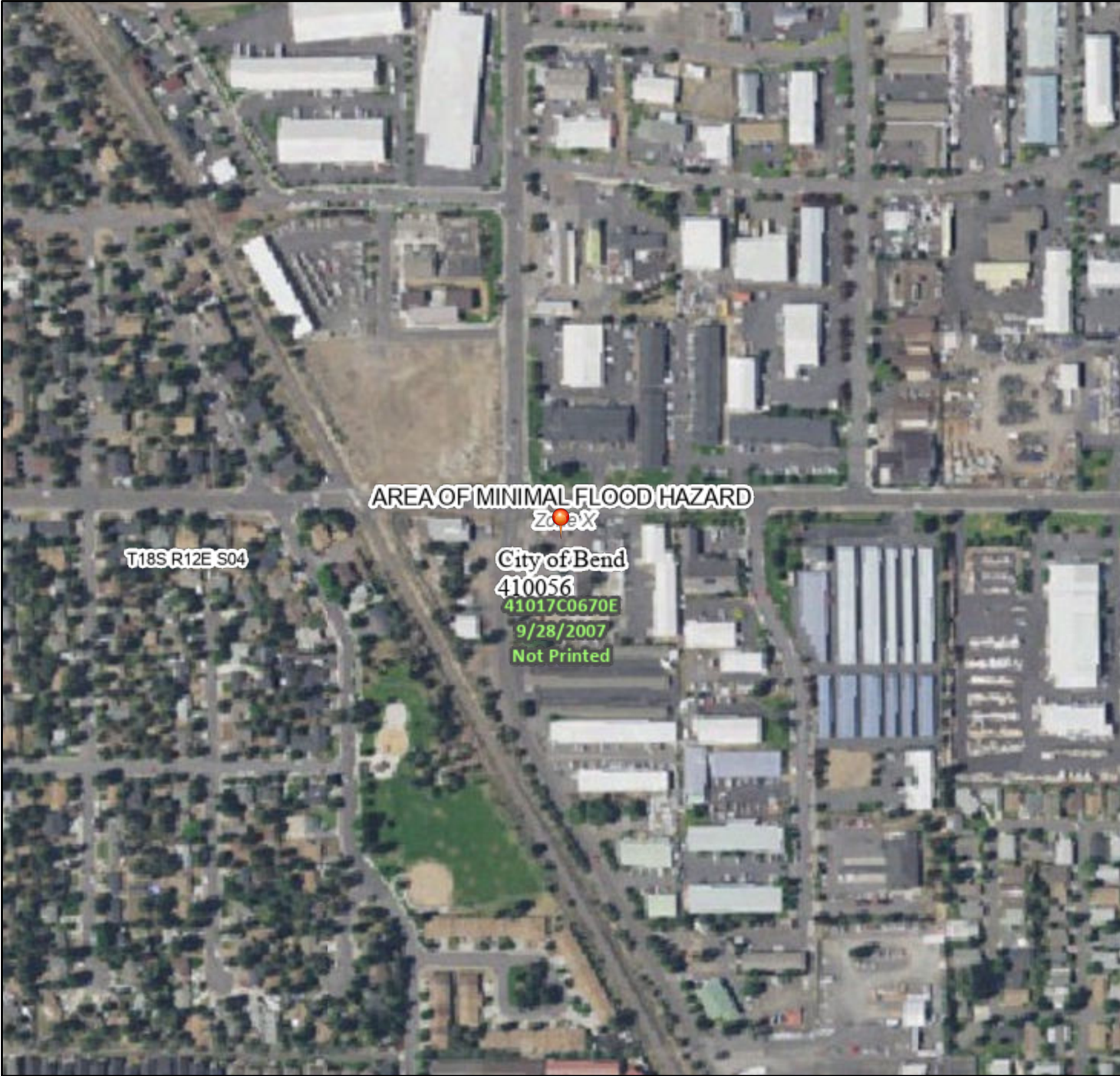
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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

National Flood Hazard Layer FIRMMette

census tract 18.02



121°17'51"W 44°2'51"N



1:6,000

121°17'14"W 44°2'26"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 Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



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 **12/23/2025 at 7:26 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.

Noise (EA Level Reviews)

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
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

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.

→ *Continue to Question 2.*

- ☐ Rehabilitation of an existing residential property

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- ☐ A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions 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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- ☒ None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. 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.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

☐ Noise generators were found within the threshold distances.

→ *Continue to Question 3.*

3. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

☐ 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:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

☐ 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))

Indicate noise level here:

If project is rehabilitation:

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.*

If project is new construction:

Is the project in a largely undeveloped area¹?

☐ No

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

☐ Yes

→ Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

☐ Unacceptable: (Above 75 decibels)

Indicate noise level here:

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.

If project is new construction:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

☐ Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

☐ Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

- 4. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. 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.**

☐ Mitigation as follows will be implemented:

→ *Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.*

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ *Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with Noise Abatement and Control requirements.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Sole Source Aquifers (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

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

☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

☒ No → *Continue to Question 2.*

2. Is the project located on a sole source aquifer (SSA)¹?

☒ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide 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.*

☐ Yes → *Continue to Question 3.*

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

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

☐ Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

☐ No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

¹ 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 → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

☐ Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

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 December 23, 2025.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Sole Source Aquifers

HUD Region X

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Protect 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, 300 et seq., and 21 U.S.C. 349)	40 CFR 149.2

- 1. Is the project located on a sole source aquifer (SSA) review area which includes the aquifer and streamflow source areas? (Note: There are currently no sole source aquifers in Alaska.)**

☐ Maintain, in your ERR, a copy of the latest SSA review area map, marked with your project location.

<https://www.epa.gov/dwssa>

Click "Interactive map of SSAs"

Make sure you consider streamflow source areas.

- ☒ No: STOP here. The Sole Source Aquifer authority does not apply. Record your determination.
☐ Yes: PROCEED to #2

- 2. Is there anything connected to your project that could have an adverse impact on the aquifer and streamflow source area such as injection of storm into the aquifer or deep digging on sites with toxins in the soil or onsite monitoring wells? Examples include dry wells, injection wells, digging in contaminated soils to or close to aquifer depth (note depth to aquifer may vary depending on where your project is located since aquifer depths vary over the landscape), installing a fuel storage tank underground without safeguards or placing a fuel storage tank aboveground without secondary containment.**

Describe:

- ☐ Yes: Please proceed directly to consultation with EPA, described in Step 10 or if the project is located in Idaho, proceed to Step 9.
☐ No: Document your ERR and PROCEED to #3

- 3. Does the project consist of an individual action (including acquisition, disposition, new construction and rehabilitation) on a one-to-four unit residential building that meets all applicable local and state groundwater regulations?**

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to #4

- 4. Does the project consist of acquisition, disposition or rehabilitation of a multifamily (5 or more dwelling units) residential building, commercial building, or public facility that does not increase size or capacity and meets all applicable local and state groundwater regulations?**

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to #5

- 5. Does the project consist of new construction or rehabilitation that increases size or capacity of a multifamily building, commercial building or public facility that meets all applicable local/state ground-water regulations AND**

- a. Project is connected to public water OR

- b. Project is connected to private well water and the appropriate state and local health department or district is notified; water is tested for contaminants such as bacteria and nitrate; all applicable pollution prevention techniques are used to protect the private well from contamination.
- c. Project is connected to the sanitary sewer OR
- d. Project uses an onsite sewage disposal system that treats 2000 gallons per day or less.
- e. Project is connected to public storm drainage system OR
- f. Project infiltrates some or all of its storm water onsite through rain gardens, bioswales or other low impact development methods EXCEPT shallow injection wells such as dry wells, or french drains.

Describe:

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet and document how your project will handle water, storm water and sewage.
- ☐ No: PROCEED to #6

6. Does the project consist of repairing or expanding streets, or installing sidewalks, curb cuts, biking trails, hiking trails, parks or playgrounds and meets all applicable local and state groundwater regulations?

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #7

7. Does the project consist of drinking water activities such as drinking water lines, drinking water storage reservoirs, drinking water treatment systems, drilling of a new well, or a pump system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells?

Describe:

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #8

8. Does the project consist of wastewater activities such as (but not limited to) replacement and/or rehab of collection lines, new transmission lines, lift stations, new wastewater lagoons or repairing an existing septic system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells and does not add a new source of contamination to the groundwater (examples that may add a new source of contamination would include a new reuse/land application system or expansion of existing reuse/land application system, or a new large capacity septic system/soil absorption system)?

Describe:

- ☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
- ☐ No: PROCEED to #9

9. Is the project located in Idaho and does it fit within the Memorandum of Understanding between HUD/Idaho Division of Community Development/Idaho Housing and Finance Association and EPA?

- ☐ Yes: Follow the process laid out in the 2000 MOU, including contacting appropriate regulators, obtaining required permits and maintaining documentation as prescribed in the MOU:
Record your determination on the Statutory Worksheet.

☐ No: PROCEED to #10

10. Submit your project to EPA for review.

Include the following information:

1. Location of Project and name of Sole Source Aquifer.
2. Project description and federal funding source.
3. Is there any increase of impervious surface? If so, what is the area?
4. Describe how storm water is currently treated on the site.
5. How will storm water be treated on this site during construction and after the project is complete?
6. Are there any underground storage tanks present or to be installed? Include details of such tanks.
7. Will there be any liquid or solid waste generated? If so how will it be disposed of?
8. What is the depth of excavation?
9. Are there any wells in the area that may provide direct routes for contaminants to access the aquifer and how close are they to the project?
10. Are there any hazardous waste sites in the project area, especially if the waste site has an underground plume with monitoring wells that may be disturbed? Include details.
11. Are there any deep pilings that may provide access to the aquifer?
12. Are Best Management Practices planned to address any possible risks or concerns?
13. Is there any other information that could be helpful in determining if this project may have an affect on the aquifer?
14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan?

Submit the information to James Robinson at Robinson.James@epa.gov, phone number (907) 271-6627, for EPA approval of the project. Please note that EPA may request additional information if impacts to the aquifer are questionable after the information is submitted for review.

☐ EPA approves project: Stop here. The project is not likely to affect Sole Source Aquifer quality. Maintain copies of all of the documents you have used to make your determination and your correspondence with EPA.

☐ EPA objects to project: Continue working with EPA to mitigate issues. You may need to hire a technical consultant or request EPA to conduct an independent review of the proposed project for impacts to ground water quality. If EPA determines that the project continues to pose a significant contaminant hazard to public health, federal financial assistance must be denied.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement, and the Sole Source Aquifer Legislation and Regulations take precedence over any information found in this document.

Search bar: Bend, Oregon

Show search results for Bend, ...

Measurement

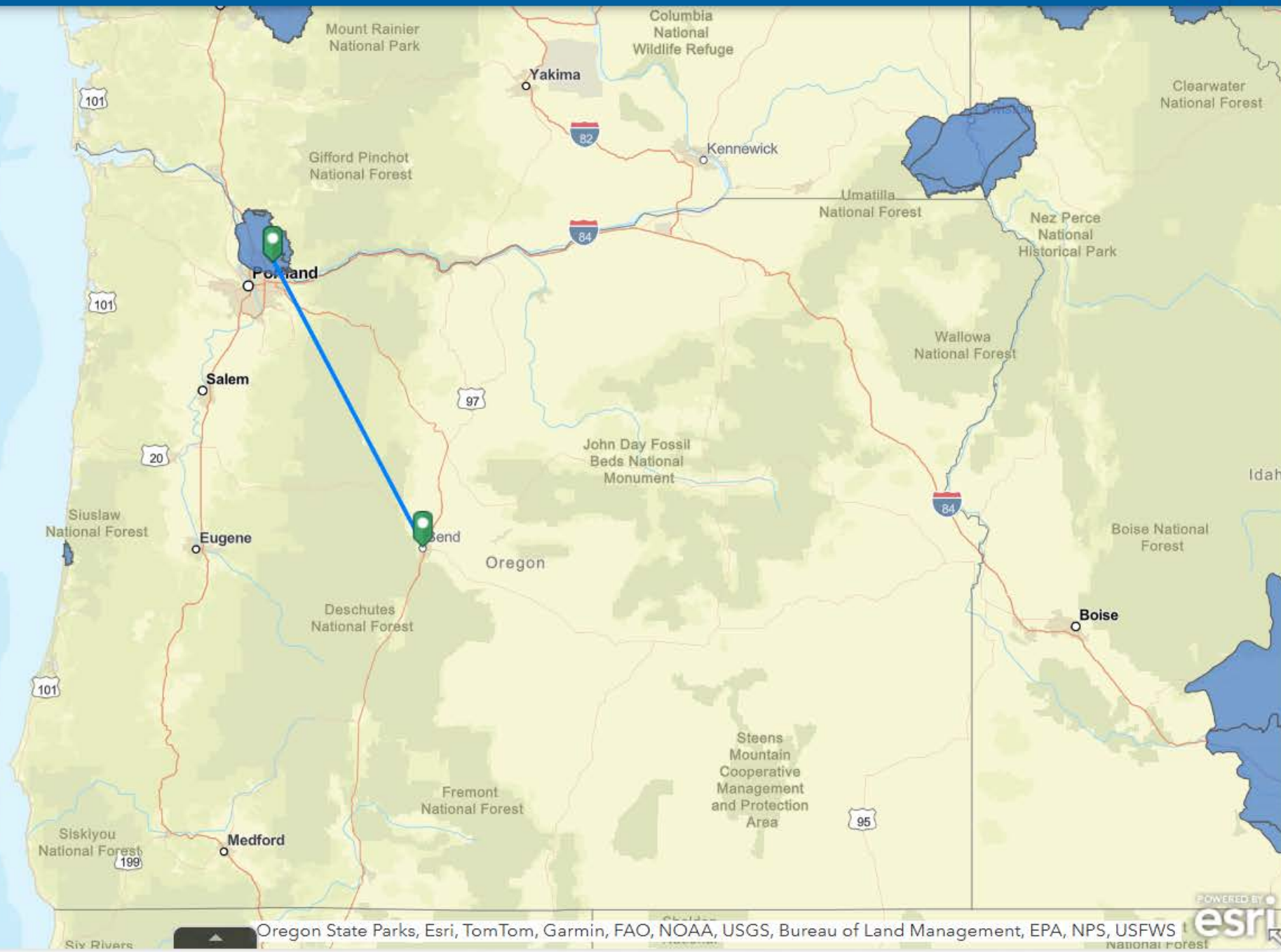
Units: Miles

Measurement Result

123.5 Miles

Clear

Press CTRL to enable snapping



Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that 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.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

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. Continue to the Worksheet Summary below.*

☐ Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

☐ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

☐ Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ *You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.*

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. 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.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- ☐ Native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements
- ☐ Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Based on the project description, this project includes no activities that would require further evaluation under this section. The project does not include new construction activities as defined by 24 CFR 55.10 (grading, clearing, draining, filling, diking, impounding, and related activities for any structure or facilities including the siting of new manufactured housing units). The project is in compliance with Executive Order 11990.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

This content is from the eCFR and is authoritative but unofficial.

Title 24 —Housing and Urban Development

Subtitle A —Office of the Secretary, Department of Housing and Urban Development

Part 55 —Floodplain Management and Protection of Wetlands

Subpart B —Application of Executive Orders on Floodplain Management and Protection of Wetlands

Authority: 42 U.S.C. 3535(d), 4001-4128, and 5154a; 42 U.S.C. 4321 *et seq.*; E.O. 13690, 80 FR 6425; Pub. L. 93-234, 87 Stat. 975; E.O. 11988, 42 FR 26951, 3 CFR, 1977 Comp., p. 117; E.O. 11990, 42 FR 26961, 3 CFR, 1977 Comp., p. 121.

Source: 59 FR 19107, Apr. 21, 1994, unless otherwise noted.

§ 55.10 Limitations on HUD assistance in wetlands.

- (a) When the proposed project includes new construction activities (including grading, clearing, draining, filling, diking, impounding, and related activities for any structure or facilities including the siting of new manufactured housing units) that will have a direct impact to onsite wetlands identified by the process described in § 55.9, compliance with this part requires completion of the 8-step decision making process in § 55.20 to address wetland impacts.
- (b) When the proposed project may indirectly affect wetlands by modifying the flow of stormwater, releasing pollutants, or otherwise changing conditions that contribute to wetlands viability, the significance of these impacts must be evaluated and the impacts minimized through best management practices. If the project site includes wetlands that will not be impacted by new construction, HUD strongly encourages measures to preserve such wetlands from future impacts, including by obtaining a restrictive covenant, conservation easement, or other mechanism.
- (c) When the proposed project may indirectly affect off-site wetlands, impacts should be minimized to the extent practicable. While this part does not require further decision making to address these effects under the authority of Executive Order 11990, measures to address offsite wetlands impacts may be necessary to comply with related laws and authorities including the Endangered Species Act or to address significant impacts under the National Environmental Policy Act.

[89 FR 30908, Apr. 23, 2024]

Wild and Scenic Rivers (CEST and EA)

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
References		
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

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

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

☒ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

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

→ Continue to Question 2.

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

☐ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

☐ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

The project includes census tracts 15.01, 18.01, and 18.02. Of these tracts, 15.01 is closest to relevant waterways, and for this evaluation, the southwestern edge of tract 15.01 is used to measure distances. This location is 4.6 miles from the nearest Federal Wild and Scenic Waterway, and 2.1 miles from the nearest Oregon Scenic Waterway. Consulted Deschutes County Property Information (DIAL) and the National Wild and Scenic Rivers System website on 12/23/2025. 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 12/23/2025. The Deschutes River does not appear on the Nationwide Rivers Inventory website as of 12/23/2025.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

Deschutes County Property Information

Dial

Find an area, length, or location.



Select a tool then click on the map start measuring. Double click to complete your measurement.



Miles

Measurement Result

4.64 Miles



Draw

Add Layers

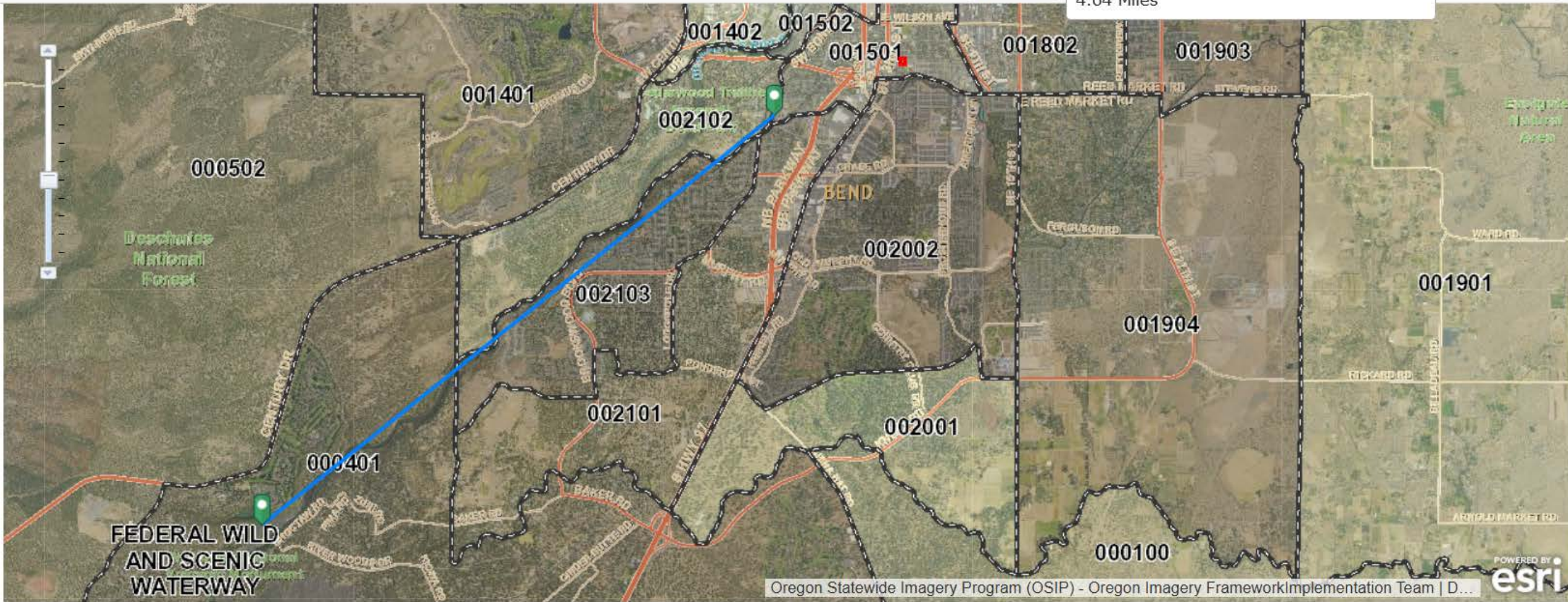
Basemap

Layers Transparency: 70%



☒ Census Tracts (2020)

☒ Federal Wild and Scenic Waterway



Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team | D...



REGISTER

3

enced, please log in.



C

547

Draw

- ☒
- Census Tracts (2020)

- ☒
- Oregon Scenic Waterway

POWERED BY
esri

Nationwide Rivers Inventory

National Park Service
U.S. Department of the Interior



This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more "outstandingly remarkable" values.



▼ Find a River

State ▾

Classification ▴

☐ Recreational ⓘ

☒ Scenic ⓘ

☒ Wild ⓘ

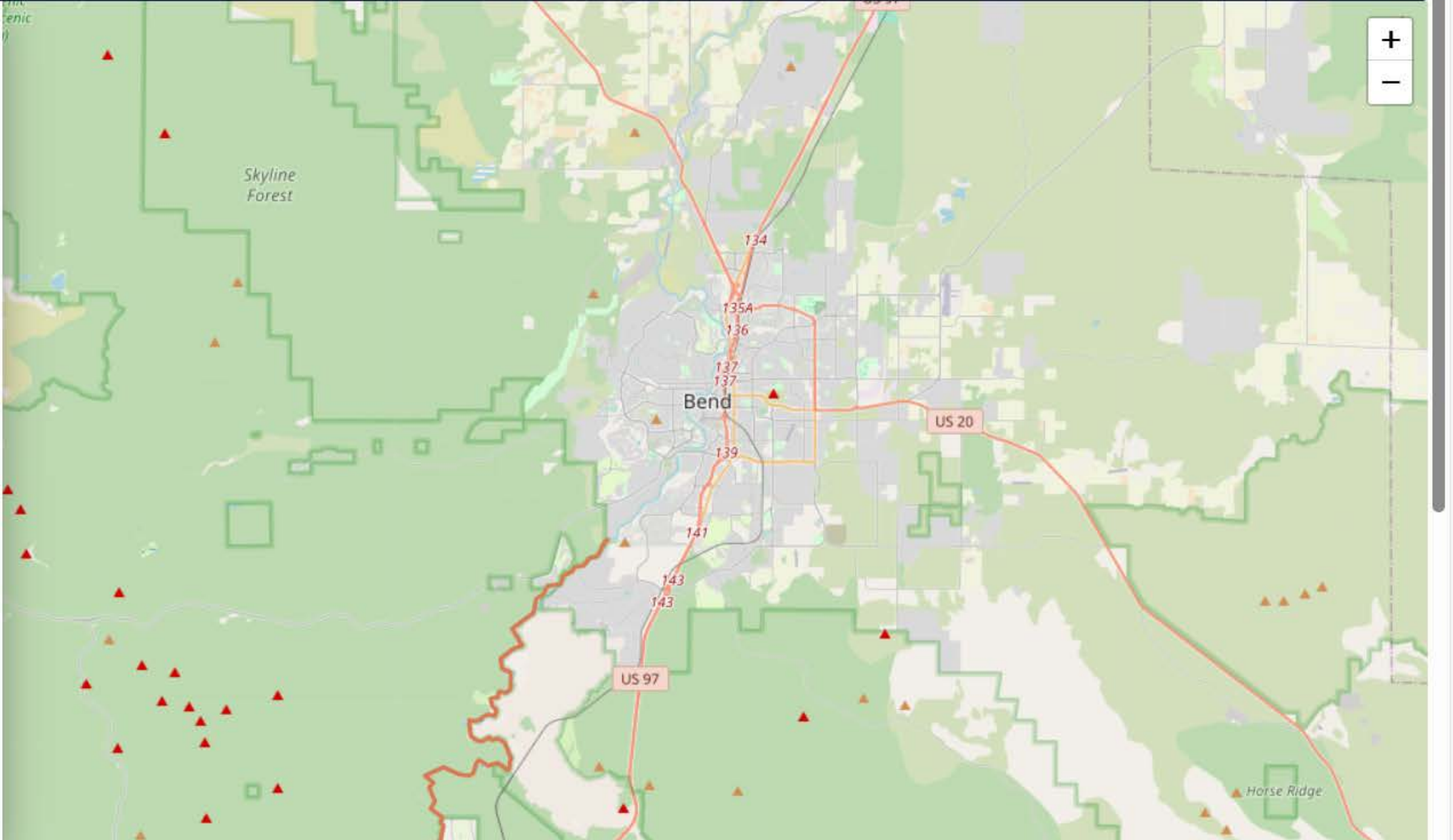
Outstandingly Remarkable Values ▾

Results

Chetco River

Clackamas River

Collawash River





There are two study provisions in the Act — Section 5(a), through which Congress directs the study of select rivers, and Section 5(d)(1), which directs federal agencies to identify potential additions to the National Wild and Scenic Rivers System (National System) through federal agency plans. A brief explanation is provided in the following respective sections below.

Current Active Studies

Currently, there are two rivers or river systems under “authorized” study under Section 5(a) of the Wild & Scenic Rivers Act. This does not include those that might be under assessment as part of normal agency land-planning processes.

- Kissimmee River, Florida (Public Law 117-328, December 29, 2022) – Study not yet initiated by the National Park Service.
- Little Manatee River, Florida (Public Law 117-328, December 29, 2022) – Study not yet initiated by the National Park Service.

Section 2(a)(ii) Studies

Under Section 2(a)(ii) of the Act, a governor (or governors for a river in multiple states) of a state can request that a river be designated, provided certain conditions are met (refer to the **Council White Paper on Section 2(a)(ii)** ([/sites/rivers/files/2023-01/2a\(ii\).pdf](/sites/rivers/files/2023-01/2a(ii).pdf)) for specifics). The National Park Service then conducts a study to determine if certain conditions are met. Here are some of the studies conducted under Section 2(a)(ii). Again, if you don't see a study listed, we do not have a copy.

Section 2(a)(ii) Studies

- **Allagash River Study Report** (</sites/rivers/files/2022-12/allagash-study.pdf>), Maine

- **American River Eligibility Report (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-study.pdf)**, California
- **American River Environmental Impact Statement (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-eis.pdf)**, California
- **Big & Little Darby Creeks Study Report & Environmental Assessment (/sites/rivers/files/2022-12/big-little-darby-creeks-study-ea.pdf)**, Ohio
- **Eel River Eligibility Report (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-study.pdf)**, California
- **Eel River Environmental Impact Statement (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-eis.pdf)**, California
- **Klamath River Eligibility Report (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-study.pdf)**, California
- **Klamath River Environmental Impact Statement (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-eis.pdf)**, California
- **Klamath River Study Report (/sites/rivers/files/2023-01/klamath-study.pdf)**, Oregon
- **Lumber River Study Report (/sites/rivers/files/2023-01/lumber-study.pdf)**, North Carolina
- **New River (South Fork) Study Report & Environmental Impact Statement (/sites/rivers/files/2023-01/new-sf-study-eis.pdf)**, North Carolina
- **Smith River Eligibility Report (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-study.pdf)**, California
- **Smith River Environmental Impact Statement (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-eis.pdf)**, California
- **Trinity River Eligibility Report (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-study.pdf)**, California
- **Trinity River Environmental Impact Statement (/sites/rivers/files/2022-12/american-eel-klamath-smith-trinity-eis.pdf)**, California
- **Wallowa River Study Report (/sites/rivers/files/2023-01/wallowa-study.pdf)**, Oregon
- **Westfield River Study Report & Environmental Assessment (Initial Study 1993) (/sites/rivers/files/2023-01/westfield-river-evaluation-ea.pdf)**, Massachusetts
- **Westfield River Draft Study Report (Expansion 2002) (/sites/rivers/files/2023-01/westfield-draft-2aai-addition-study.pdf)**, Massachusetts

Musconetcong River Special Study

In 1997, 18 of 19 municipalities along the Musconetcong River in New Jersey voted to request that the National Park Service study the river to determine its eligibility and suitability for inclusion into the National System. This was done under the authorities of

Public Law 102-460, the lower Delaware River study legislation. (The Musconetcong River is a tributary to the Delaware River.) Here is the **Musconetcong River Study Report (/sites/rivers/files/2023-01/musconetcong-study.pdf)**. Following that, the Musconetcong River was designated under **Public Law 109-452 (/sites/rivers/files/2022-10/Public%20Law%20109-452.pdf)**. That same law authorized an additional segment for study, and that segment was added in June of 2022. Here is the **Federal Register notice (/sites/rivers/files/2023-02/musconetcong_frn-vol.87-no.107.pdf)** adding that additional segment.

Wolf River Special Study

Even before the Wild & Scenic Rivers Act, the Bureau of Outdoor Recreation (since absorbed into the National Park Service) looked at the Wolf River in Wisconsin for protection as a “wild river.” Here is the **Wolf River Lake Central Regional Task Group Draft Study Report (/sites/rivers/files/2023-01/wolf_river_wisconsin_draft-study_sept_1964.pdf)** and **Wolf River Study Report (/sites/rivers/files/2022-12/wolf-bor-study.pdf)**.

Section 5(d)(1), Agency-Identified Studies

In recent years, hundreds of rivers have been identified for study through Section 5(d)(1) of the Act. This provision directs federal agencies to identify potential addition to the National System through their respective resource and management plans. Its application has resulted in numerous individual river designations, statewide legislation (e.g., Omnibus Oregon Wild and Scenic Rivers Act, P.L. 100-557; Michigan Scenic Rivers Act, P.L. 102-249) and multi-state legislation (e.g., Omnibus Public Land Management Act of 2009, P.L. 111-11). Here are examples of agency-identified studies and transmittal documents (if available).

Section 5(d)(1) Studies

- **Arctic National Wildlife Refuge Wild & Scenic River Review (/sites/rivers/files/2023-01/arctic-nwr.pdf)**
- **Arizona Bureau of Land Management Statewide Study LEIS (/sites/rivers/files/2023-01/arizona-blm-study-leis.pdf)**
- **Arizona Bureau of Land Management Statewide Study River Assessments (/sites/rivers/files/2023-01/arizona-blm-study-leis-rivers.pdf)**

- **Blue River & KP Creek (Arizona) (/sites/rivers/files/2023-01/blue-kp-creek-study.pdf)**
- **Flathead River Draft Proposed Addition & Environmental Impact Statement (Montana) (/sites/rivers/files/2023-01/flathead-deis.pdf)**

Utah Statewide Suitability Study:

- **Record of Decision (/sites/rivers/files/2023-02/utah-study-rod.pdf)**
- **Environmental Impact Statement (/sites/rivers/files/2023-02/utah-study-eis.pdf)**
- **Appendices (/sites/rivers/files/2023-02/utah-study-addendices.pdf)**

Section 5(d)(2) Study – Klamath River

One river was authorized for study by Congress through Section 5(d)(2) of the Act, the Klamath River in Oregon. Here is the **Klamath River Draft Study Report (/sites/rivers/files/2023-01/klamath-upper-draft-study_0.pdf)**.

Section 5(a), Congressionally Authorized Studies

Through Section 5(a), Congress authorizes the study of select rivers and directs one of the four federal river-administering agencies to conduct the study, as outlined in Sections 4(a) and 5(c) of the Wild & Scenic Rivers Act. The enabling legislation of 1968, P.L. 90-542, authorized 27 rivers for study as potential components of the National System. Amendments to the law have increased the number of studies authorized by Congress to 144.

These studies have lead to 50 designations by either Congress or the Secretary of the Interior. One study led to the establishment of a National Recreation Area.

The number of rivers included in the National System differs from the number of rivers authorized for study by Congress for the following reasons:

- Not all rivers studied are found eligible or suitable for designation—many study rivers will not be included in the National System.
- Some rivers are designated by Congress or the Secretary of the Interior without a pre-authorization or 5(a) study (e.g., Niobrara River).
- Some rivers are designated as a result of recommendations in federal agency plans (e.g., 49 rivers designated in Oregon in 1988).

The 146 rivers below have been authorized for study. The agency leading the study is indicated as National Park Service (NPS), Bureau of Outdoor Recreation (BOR), Heritage Conservation and Recreation Service (HCRS), Bureau of Land Management (BLM), or U.S.

Forest Service (USFS). Within the Department of the Interior, the study function was transferred from the HCRS (formerly the BOR) to the NPS by Secretarial Order Number 3017, January 25, 1978. All studies indicated as BOR or HCRS were completed by these agencies before the program was transferred to the NPS. The BLM was delegated responsibility for conducting studies on Public Lands on October 11, 1988. The USFS (Department of Agriculture) has always conducted studies on National Forest System Lands and as directed by Congress.

We have collected a few of the study reports and associated documents prepared at the direction of Congress; those documents are noted below. If you do not see a report here, we do not have it, and you will have to contact the study agency at the local level for a copy.

For each study river, the number in parentheses is the approximate number of miles to be studied. If river segments were designated, the total designated mileage appears in the text.

I. Public Law 90-542 (October 2, 1968) — 27 Rivers, Studies Due October 2, 1978

(1) **Allegheny, Pennsylvania.** (BOR) Letter report to Congress on January 23, 1974. River not qualified. **Study Report & EIS (/sites/rivers/files/2023-01/allegheny-study-deis.pdf)** (69.5 miles)

(2) **Bruneau, Idaho.** (BOR) Report recommending congressional designation transmitted to Congress on May 23, 1977. **Study Report (/sites/rivers/files/2023-01/bruneau-study.pdf)** (121 miles)

(3) **Buffalo, Tennessee.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. **Study Report (/sites/rivers/files/2023-01/buffalo-study.pdf)** (117 miles)

(4) **Chattooga, North Carolina, South Carolina, and Georgia.** (USFS) Fifty-six point nine miles added to the National System, Public Law 93-279, May 10, 1974. **Study Report (/sites/rivers/files/2023-01/chattooga-study.pdf)** (56.9 miles)

(5) **Clarion, Pennsylvania.** (BOR) Letter report to Congress on February 22, 1974. River not qualified. **Study Report (/sites/rivers/files/2023-01/clarion-study.pdf)** (90 miles)

(6) **Delaware, Pennsylvania and New York.** (BOR) Seventy-five point four miles added to the National System, Public Law 95-625, November 10, 1978. **Study Report (/sites/rivers/files/2023-01/upper-delaware-study.pdf)** (75.4 miles)

- (7) **Flathead, Montana.** (USFS) Two hundred nineteen miles added to the National System, Public Law 94-486, October 12, 1976. **Flathead River Study Report and Draft Environmental Impact Statement (/sites/rivers/files/2023-01/flathead-study.pdf)** (219 miles)
- (8) **Gasconade, Missouri.** (BOR) Report transmitted to Congress on May 23, 1977. Preservation of river by state recommended. (265 miles)
- (9) **Illinois, Oregon.** (USFS) Fifty point four miles added to the National System, Public Law 98-494, October 19, 1984. **Study Report (/sites/rivers/files/2023-01/illinois-study.pdf)** (88 miles)
- (10) **Little Beaver, Ohio.** (BOR) Thirty-three miles added to the National System by the Secretary of the Interior on October 23, 1975. Report transmitted to Congress on February 10, 1976. **Study Report (/sites/rivers/files/2023-01/little-beaver-creek-study.pdf)** (33 miles)
- (11) **Little Miami, Ohio.** (BOR) Sixty-six miles added to the National System by the Secretary of the Interior on August 20, 1973. Report transmitted to Congress on November 5, 1973. An additional 28-mile segment was added by the Secretary of the Interior on January 28, 1980. **Study Report (/sites/rivers/files/2023-02/little-miami-study.pdf)** (94 miles)
- (12) **Maumee, Ohio and Indiana.** (BOR) Report transmitted to Congress on September 13, 1974. River not qualified. (236 miles)
- (13) **Missouri, Montana.** (BOR) One hundred forty-nine miles added to the National System, Public Law 94-486, October 12, 1976. **Study Report (/sites/rivers/files/2023-01/missouri-study-mt.pdf), Environmental Statement (/sites/rivers/files/2023-01/missouri-study-environmental-statement.pdf)** (180 miles)
- (14) **Moyie, Idaho.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (26.1 miles)
- (15) **Obed, Tennessee.** (BOR/NPS) Forty-five miles added to the National System, Public Law 94-486, October 12, 1976. Report transmitted to Congress on April 26, 1985. Submission of final report was in abeyance pending completion of a mineral evaluation. Further designation was not recommended. **Study Report (/sites/rivers/files/2023-02/obed-study.pdf)** (100 miles)
- (16) **Penobscot, Maine.** (BOR) Report transmitted to Congress on May 23, 1977. Preservation of river by state recommended. (327 miles)
- (17) **Pere Marquette, Michigan.** (USFS) Sixty-six point four miles added to the National System, Public Law 95-625, November 10, 1978. **Study Report (/sites/rivers/files/2023-02/pere-marquette-study.pdf)** (153 miles)

- (18) **Pine Creek, Pennsylvania.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (51.7 miles)
- (19) **Priest, Idaho.** (USFS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (67 miles)
- (20) **Rio Grande, Texas.** (BOR) One hundred ninety-one point two miles added to the National System, Public Law 95-625, November 10, 1978. **Study Report (/sites/rivers/files/2023-02/rio-grande-tx-study.pdf), Environmental Impact Statement (/sites/rivers/files/2023-02/rio-grande-tx-eis.pdf)** (556 miles)
- (21) **Saint Croix, Minnesota and Wisconsin.** (BOR) Twenty-seven mile federally administered segment added to the National System by Public Law 92-560, October 25, 1972. Twenty-five mile state-administered segment added by the Secretary of the Interior on June 17, 1976. **Study Report (/sites/rivers/files/2023-02/lower-st-croix-study.pdf)** (52 miles)
- (22) **St. Joe, Idaho.** (USFS) Sixty-six point three miles added to the National System, Public Law 95-625, November 10, 1978. (132.1 miles)
- (23) **Salmon, Idaho.** (USFS) One hundred twenty-five miles added to the National System, Public Law 96-312, July 23, 1980. Additional 53 miles subject to provisions of Section 7(a) of Public Law 90-542. (237 miles)
- (24) **Skagit, Washington.** (USFS) One hundred fifty-seven point five miles added to the National System, Public Law 95-625, November 10, 1978. **Study Report (/sites/rivers/files/2023-02/skagit-study.pdf)** (166.3 miles)
- (25) **Suwannee, Florida and Georgia.** (BOR) Report transmitted to Congress on March 15, 1974. Preservation of river by state recommended. **Study Report (/sites/rivers/files/2023-02/suwannee-study.pdf)** (272 miles)
- (26) **Upper Iowa, Iowa.** (BOR) Report transmitted to Congress on May 11, 1972. Preservation of river by state recommended. (80 miles)
- (27) **Youghieny, Maryland and Pennsylvania.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (49 miles)

II. Public Law 93-621 (January 3, 1975) — 29 Rivers, Studies Due October 2, 1979, (Dolores River Due October 2, 1976, Green and Yampa Rivers Due January 1, 1987)

- (28) **American, California.** (USFS) Thirty-eight point three miles added to the National System, Public Law 95-625, November 10, 1978. (41.1 miles)

- (29) **Au Sable, Michigan.** (USFS) Twenty-three miles added to the National System, Public Law 98-444, October 4, 1984. **Study Report & Environmental Impact Statement (/sites/rivers/files/2023-01/ausable-study-eis.pdf)** (165 miles)
- (30) **Big Thompson, Colorado.** (NPS) Report transmitted to Congress on October 2, 1979. Designation not recommended. (13.6 miles)
- (31) **Cache la Poudre, Colorado.** (USFS) Seventy-six miles added to the National System, Public Law 99-590, October 30, 1986. **Study Report & Environmental Impact Statement (/river/cache-la-poudre)** (76 miles)
- (32) **Cahaba, Alabama.** (USFS) Report transmitted to Congress on December 14, 1979. River not qualified. (116 miles)
- (33) **Clarks Fork, Wyoming.** (USFS) Twenty point five miles added to the National System, Public Law 101-628, November 28, 1990. **Study Report & Environmental Statement (/sites/rivers/files/2023-02/yellowstone-study-environmental-statement.pdf)** (23 miles)
- (34) **Colorado, Colorado and Utah.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75.7 miles)
- (35) **Conejos, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (48.8 miles)
- (36) **Elk, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (35 miles)
- (37) **Encampment, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (19.5 miles)
- (38) **Green, Colorado and Utah.** (NPS) Report transmitted to Congress in combination with the Yampa River on November 14, 1983. The river was determined eligible, but the Secretary did not include a recommendation for designation. (91 miles)
- (39) **Gunnison, Colorado.** (NPS) Report recommending congressional designation transmitted to Congress on October 2, 1979. (29 miles)
- (40) **Illinois, Oklahoma.** (HCRS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (115 miles)
- (41) **John Day, Oregon.** (NPS) One hundred forty-seven point five miles added to the National System, Public Law 100-557, October 28, 1988. **Study Report (/sites/rivers/files/2023-01/john-day-study.pdf)** (149 miles)
- (42) **Kettle, Minnesota.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (79 miles)

- (43) **Los Pinos, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (54 miles)
- (44) **Manistee, Michigan.** (USFS) Twenty-six miles added to the National System, Public Law 102-249, March 3, 1992. **Study Report & Environmental Impact Statement (/sites/rivers/files/2023-01/manistee-study-eis.pdf)** (232 miles)
- (45) **Nolichucky, Tennessee and North Carolina.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (110 miles)
- (46) **Owyhee, Idaho & Oregon.** (NPS) One hundred twenty miles added to the National System, Public Law 98-494, October 19, 1984. **Study Report (/sites/rivers/files/2023-02/owyhee-id-study-eis.pdf)** (192 miles)
- (47) **Piedra, Colorado.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (53 miles)
- (48) **Shepaug, Connecticut.** (NPS) Report transmitted to Congress on October 2, 1979. Preservation of river by state and local action recommended. (28 miles)
- (49) **Sipsey Fork, Alabama.** (USFS) Sixty-one miles added to the National System, Public Law 100-547, October 28, 1988. (71 miles)
- (50) **Snake, Wyoming.** (USFS) Report recommending congressional designation transmitted to Congress on September 13, 1982. (50 miles)
- (51) **Sweetwater, Wyoming.** (NPS) Report transmitted to Congress on November 14, 1979. Designation not recommended. **Study Report (/sites/rivers/files/2023-02/sweetwater-study.pdf)** (9.5 miles)
- (52) **Tuolumne, California.** (NPS/USFS) Eighty-three miles added to the National System, Public Law 98-425, September 28, 1984. **Study Report (/sites/rivers/files/2023-02/tuolumne-study.pdf)** (92 miles)
- (53) **Upper Mississippi, Minnesota.** (BOR) Report recommending congressional designation transmitted to Congress on August 25, 1977. (466 miles)
- (54) **Wisconsin, Wisconsin.** (NPS/USFS) Report transmitted to Congress on October 2, 1979. Preservation of river by state recommended. (82.4 miles)
- (55) **Yampa, Colorado.** (NPS) Report transmitted to Congress in combination with Green River on November 14, 1983. The river was determined eligible, but the Secretary did not include a recommendation for designation. (47 miles)
- (56) **Dolores, Colorado.** (BOR/USFS) Report recommending Congressional designation transmitted to Congress on May 23, 1977. (105 miles)

III. Public Law 94-199 (December 31, 1975) — 1 River, Study Due October 1, 1979

(57) **Snake, Washington, Oregon and Idaho.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. **Study Report & Environmental Impact Statement (/sites/rivers/files/2023-02/snake-study-eis.pdf)** (33 miles)

IV. Public Law 94-486 (October 12, 1976) — 1 River, Study Due October 1, 1980

(58) **Housatonic, Connecticut.** (NPS) Thirty point eight miles added the National System, Public Law 117-328, December 29, 2022. Report transmitted to Congress on October 2, 1979. Preservation of river by state and local action initially recommended. **Study Report (/sites/rivers/files/2023-01/housatonic-study.pdf)**, **Section 2(a)(ii) Application (/sites/rivers/files/2023-01/housatonic-2aii-application.pdf)**, **Federal Register 2(a)(ii) Notice (/sites/rivers/files/2023-01/housatonic-federal-register-notice-2aii-application.pdf)**, (51 miles)

V. Public Law 95-625 (November 10, 1978) — 17 rivers, studies due October 1, 1984

V. Public Law 95-625 (November 10, 1978) — 17 Rivers, Studies Due April 1, 1981

(59) **Kern (North Fork), California.** (USFS) One hundred fifty-one miles of the North and South Forks added to the National System, Public Law 100-174, November 24, 1987. **North Fork Study Report (/sites/rivers/files/2023-01/kern-nf-study.pdf)**, **North Fork Environmental Impact Statement (/sites/rivers/files/2023-02/kern-nf-study-eis.pdf)**, **South Fork Study Report & Draft Environmental Impact Statement (/sites/rivers/files/2023-01/kern-sf-study-deis.pdf)**, **North & South Forks Record of Decision (/sites/rivers/files/2023-01/kern-nf-sf-rod.pdf)** (74 miles)

(60) **Loxahatchee, Florida.** (NPS) Seven point five miles added to the National System by the Secretary of the Interior on May 17, 1985. **Study Report & Environmental Impact Statement (/sites/rivers/files/2023-01/loxahatchee-study-eis.pdf)** (25 miles)

(61) **Ogeechee, Georgia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state recommended. (246 miles)

(62) **Salt, Arizona.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (22 miles)

- (63) **Verde, Arizona.** (USFS) Forty point five miles added to the National System, Public Law 98-406, August 28, 1984. **Study Report & Environmental Assessment (/sites/rivers/files/2023-02/verde-study-eis.pdf)** (78 miles)
- (64) **San Francisco, Arizona.** (USFS) Report transmitted to Congress on September 13, 1982. Designation not recommended. (29 miles)
- (65) **Fish Creek, East Branch, New York.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (49 miles)
- (66) **Black Creek, Mississippi.** (USFS) Twenty-one miles added to the National System, Public Law 99-590, October 30, 1986. **Draft Study Report & Draft Environmental Impact Statement (/sites/rivers/files/2023-01/black-creek-study-deis.pdf)** (122.8 miles)
- (67) **Allegheny, Pennsylvania.** (USFS) Eighty-five miles added to the National System, Public Law 102-271, April 20, 1992. Allegheny River Study Report & Draft Environmental Impact Statement (128 miles)
- (68) **Cacapon, West Virginia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (114 miles)
- (69) **Escatawpa, Alabama and Mississippi.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (72 miles)
- (70) **Myakka, Florida.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state recommended. (37 miles)
- (71) **Soldier Creek, Alabama.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (.2 miles)
- (72) **Red, Kentucky.** (USFS) Nineteen point four miles added to the National System, Public Law 103-170, December 2, 1993. **Draft Study Report & Environmental Impact Statement (/sites/rivers/files/2023-02/red-draft-study-eis.pdf)** (19.4 miles)
- (73) **Bluestone, West Virginia.** (NPS) Ten miles added to the National System, Public Law 100-534, October 26, 1988. **Study Report (/sites/rivers/files/2023-01/bluestone-study.pdf)** (40 miles)
- (74) **Gauley, West Virginia.** (NPS) A 25-mile segment established as a National Recreation Area on October 26, 1988. (164 miles)
- (75) **Greenbrier, West Virginia.** (USFS) Report transmitted to Congress on January 7, 1993. Preservation of river by state and local action recommended. (175 miles)

VI. Public Law 96-199 (March 5, 1980) — 1 River, Study Due October 1, 1984

(76) **Birch, West Virginia.** (NPS) Report transmitted to Congress on April 26, 1985. Preservation of river by state and local action recommended. (20 miles)

VII. Public Law 96-487 (December 2, 1980) — 12 Rivers, Studies Due October 1, 1984 (Sheenjek and Squirrel Rivers Due January 1, 1987)

(77) **Colville, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (428 miles)

(78) **Etivluk-Nigu, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (160 miles)

(79) **Utukok, Alaska.** (NPS) Study submitted to Congress on April 12, 1979, as part of 105(c) study mandated by Public Law 94-258. This was prior to passage of ANILCA. (250 miles)

(80) **Kanektok, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75 miles)

(81) **Kisaralik, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75 miles)

(82) **Melozitna, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (270 miles)

(83) **Sheenjek (lower segment), Alaska.** (NPS) Report recommending congressional designation transmitted to Congress on January 19, 2001. **Study Report & Legislative Environmental Impact Statement (/sites/rivers/files/2023-02/sheenjek-study-leis.pdf)** (109 miles)

(84) **Situk, Alaska.** (USFS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (21 miles)

(85) **Porcupine, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (75 miles)

(86) **Yukon (Ramparts section), Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. Designation not recommended. (128 miles)

(87) **Squirrel, Alaska.** (Initiated by NPS/Completed by BLM) Final report/EIS issued January 26, 1999. Designation not recommended. (72 miles)

(88) **Koyuk, Alaska.** (NPS) Report transmitted to Congress on April 26, 1985. River not qualified. (159 miles)

VIII. Public Law 98-323 (June 6, 1984) — 1 River, Study Due October 1, 1990

(89) **Wildcat Creek, New Hampshire.** (NPS) Fourteen point five miles added to the National System, Public Law 100-554, October 28, 1988. **Draft Study Report** (</sites/rivers/files/2022-12/wildcat-brook-draft-study.pdf>) (21 miles)

IX. Public Law 98-484 (October 17, 1984) — 1 River, Study Due October 17, 1987

(90) **Horsepasture, North Carolina.** (USFS) Four point two miles added to the National System, Public Law 99-530, October 27, 1986. (4.2 miles)

X. Public Law 98-494 (October 19, 1984) — 1 River, Study Due October 1, 1988

(91) **North Umpqua, Oregon.** (USFS) Thirty-three point eight miles added to the National System, Public Law 100-557, October 28, 1988. (33.8 miles)

XI. Public Law 99-590 (October 30, 1986) — 2 Rivers, Studies Due October 30, 1989, For The Great Egg Harbor River, October 1, 1990, For The Farmington River

(92) **Farmington, West Branch, Connecticut and Massachusetts.** (NPS) Fourteen miles added to the National System, Public Law 103-313, August 26, 1994. Report transmitted to Congress on December 13, 1995. **Study Report** (</sites/rivers/files/2023-01/farmington-study.pdf>) (25 miles)

(93) **Great Egg Harbor, New Jersey.** (NPS) One hundred twenty-nine miles added to the National System, Public Law 102-536, October 26, 1992. **Study Report** (</sites/rivers/files/2023-01/great-egg-harbor-study.pdf>) (127 miles)

XII. Public Law 99-663 (November 17, 1986) — 2 Rivers, Studies Due October 1, 1990

(94) **Klickitat, Washington.** (USFS) Draft report issued June 1990. Final report completed, but not transmitted to Congress. (30 miles)

(95) **White Salmon, Washington.** (USFS) Twenty miles added to the National System, Public Law 109-44, August 2, 2005. The portion designated was added to the study by the USFS and is the headwaters above the segment authorized for study. (13.5 miles)

XIII. Public Law 100-33 (May 7, 1987) — 3 Rivers, Studies Due October 1, 1990

(96) **Maurice, New Jersey.** (NPS) Ten point five miles added to the National System, Public Law 103-162, December 1, 1993. **Eligibility & Classification Report** (/sites/rivers/files/2023-01/maurice-eligibility-classification-report_0.pdf), **Study Report** (</sites/rivers/files/2023-01/maurice-study.pdf>) (14 miles)

(97) **Manumuskin, New Jersey.** (NPS) Fourteen point three miles added to the National System, Public Law 103-162, December 1, 1993. (3.5 miles)

(98) **Menantico Creek, New Jersey.** (NPS) Seven point nine miles added to the National System, Public Law 103-162, December 1, 1993. (7 miles)

XIV. Public Law 100-149 (November 2, 1987) — 1 River, Study Due October 1, 1991

(99) **Merced, California.** (BLM) Eight miles added to the National System, Public Law 102-432, October 23, 1992. (8 miles)

XV. Public Law 100-557 (October 28, 1988) — 6 Rivers, Studies Due October 1, 1992

(100) **Blue, Oregon.** (USFS) Study initiated in 1989. River determined ineligible, but report not transmitted to Congress. (9 miles)

(101) **Chewaucan, Oregon.** (USFS) Study initiated in 1989. River determined ineligible, but report not transmitted to Congress. (23 miles)

(102) **North Fork Malheur, Oregon.** (BLM) River determined eligible, but report not transmitted to Congress. **Study Report (/sites/rivers/files/2023-01/malheur-nf-study.pdf)** (15 miles)

(103) **South Fork McKenzie, Oregon.** (USFS) Study initiated in 1989. River determined eligible, with plans to complete the study at revision of the Willamette National Forest Land and Resource Management Plan. (26 miles)

(104) **Steamboat Creek, Oregon.** (USFS) Final report completed in 1993. River determined eligible, but report not transmitted to Congress. (24 miles)

(105) **Wallowa, Oregon.** (USFS) Ten miles added to the National System by the Secretary of the Interior on July 25, 1996. (10 miles)

XVI. Public Law 101-356 (August 10, 1990) — 1 River, Study Due August 10, 1993

(106) **Merrimack, New Hampshire.** (NPS) Draft report issued October 7, 1999. River was determined eligible, but final report not transmitted to Congress. **Draft Study Report (/sites/rivers/files/2023-01/merrimack-draft-study.pdf)** (22 miles)

XVII. Public Law 101-357 (August 10, 1990) — 1 River, Study Due August 10, 1993

(107) **Pemigewasset, New Hampshire.** (NPS) Report transmitted to Congress on May 5, 1998. Designation not recommended. **Draft Study Report (/sites/rivers/files/2023-02/pemigewasset-draft-study.pdf)**, **Draft Study Report Appendices (/sites/rivers/files/2023-02/pemigewasset-draft-study-appendices.pdf)** (36 miles)

XVIII. Public Law 101-364 (August 15, 1990) — 1 River, Study Due August 15, 1993

(108) **St. Marys, Florida.** (NPS) Draft report issued on March 16, 1994. River was determined eligible, but final report not transmitted to Congress. **Study Report (/sites/rivers/files/2023-02/st-marys-study.pdf)** (120 miles)

XIX. Public Law 101-538 (November 8, 1990) — 1 River, Study Due September 30, 1994

(109) **Mills, North Carolina.** (USFS) Final report completed in 1996 but not transmitted to Congress. (33 miles)

XX. Public Law 101-628 (November 28, 1990) — 1 River, Study Due September 30, 1994

(110) **Concord, Assabet and Sudbury, Massachusetts.** (NPS) Twenty-nine miles added to the National System, Public Law 106-20, April 9, 1999. **Draft Study Report** (</sites/rivers/files/2023-01/suasco-draft-study.pdf>) (29 miles)

XXI. Public Law 102-50 (May 24, 1991) — 1 River, Study Due September 30, 1994

(111) **Niobrara, Nebraska.** (NPS) Six miles added to the National System, Public Law 102-50, May 24, 1996. **Study Report** (</sites/rivers/files/2023-02/niobrara-study.pdf>) (6 miles)

XXII. Public Law 102-214 (December 11, 1991) — 1 River, Study due December 11, 1994

(112) **Lamprey, New Hampshire.** (NPS) Eleven point five miles added to the National System, Public Law 104-333, November 12, 1996. Twelve miles added to the National System, Public Law 106-192, May 5, 2000. **Study Report** (</sites/rivers/files/2023-01/lamprey-study.pdf>), **Resource Assessment** (</sites/rivers/files/2023-01/lamprey-resource-assessment.pdf>) (10 miles)

XXIII. Public Law 102-215 (December 11, 1991) — 1 River, Study Due December 11, 1994

(113) **White Clay Creek, Pennsylvania and Delaware.** (NPS) One hundred ninety miles added to the National System, Public Law 106-357, October 24, 2000. **Draft Study Report** (</sites/rivers/files/2023-02/white-clay-creek-draft-study.pdf>) (23+ miles)

XXIV. Public Law 102-249 (March 3, 1992) — 11 Rivers, Studies due October 1, 1995

- (114) **Brule, Michigan and Wisconsin.** (USFS) River determined eligible; suitability study not completed. (33 miles)
- (115) **Carp, Michigan.** (USFS) River determined eligible; suitability study not completed. (7.6 miles)
- (116) **Little Manistee, Michigan.** (USFS) River determined eligible; suitability study not completed. (42 miles)
- (117) **White, Michigan.** (USFS) River determined eligible; suitability study not completed. (75.4 miles)
- (118) **Ontonagon, Michigan.** (USFS) River determined eligible; suitability study not completed. (32 miles)
- (119) **Paint, Michigan.** (USFS) River determined eligible; suitability study not completed. (70 miles)
- (120) **Presque Isle, Michigan.** (USFS) River determined eligible; suitability study not completed. (13 miles)
- (121) **Sturgeon (Ottawa National Forest), Michigan.** (USFS) River determined eligible; suitability study not completed. (36 miles)
- (122) **Sturgeon (Hiawatha National Forest), Michigan.** (USFS) River determined eligible; suitability study not completed. (18.1 miles)
- (123) **Tahquamenon, Michigan.** (USFS) River determined eligible; suitability study not completed. (103.5 miles)
- (124) **Whitefish, Michigan.** (USFS) River determined eligible; suitability study not completed. (26 miles)

XXV. Public Law 102-271 (April 20, 1992) — 2 Rivers, Studies Due September 30, 1995

- (125) **Clarion, Pennsylvania.** (USFS) Fifty-one point seven miles added to the National System, Public Law 104-333, October 19, 1996. **Study Report (/sites/rivers/files/2023-01/clarion-study.pdf)** (104 miles)
- (126) **Mill Creek, Pennsylvania.** (USFS) River determined eligible, suitability study not completed. (18 miles)

XXVI. Public Law 102-301 (June 19, 1992) — 5 Rivers, Studies Due September 30, 1995

(127) **Piru Creek, California.** (USFS) Seven point three miles of area below Pyramid Lake added to the National System, Public Law 111-11, March 30, 2009. Two areas of river authorized for study—source to Pyramid Lake and 300 feet below Pyramid Lake to Lake Piru. Study of area above Pyramid Lake completed in revision of Los Padres National Forest Land and Resource Management Plan. (49 miles)

(128) **Little Sur, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined eligible, but report not transmitted to Congress. (23 miles)

(129) **Matilija Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (16 miles)

(130) **Lopez Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (11 miles)

(131) **Sespe Creek, California.** (USFS) Study completed in revision of Los Padres National Forest Land and Resource Management Plan. River determined eligible, but report not transmitted to Congress. (10.5 miles)

XXVII. Public Law 102-432 (October 23, 1992) — 1 River, Study Due September 30, 1995

(132) **North Fork Merced, California.** (BLM) Study has been completed through the Folsom Resource Management Plan. River determined ineligible, but report not transmitted to Congress. (15 miles)

XXVIII. Public Law 102-460 (October 23, 1992) — 1 River, Study Due October 23, 1993

(133) **Delaware, Pennsylvania and New Jersey.** (NPS) Sixty-seven point three miles added to the National System, Public Law 106-418, November 1, 2000. **Study Report** (</sites/rivers/files/2023-01/lower-delaware-study.pdf>) (70 miles)

XXIX. Public Law 102-525 (October 26, 1992) — 1 River, Study Due October 26, 1993

(134) **New, Virginia and West Virginia.** (NPS) Report transmitted to Congress on April 8, 2011. Designation not recommended. (20 miles) **Study Report** (</sites/rivers/files/2023-02/new-study.pdf>), **Transmittal Memos** (</sites/rivers/files/2023-02/new-study-memos.pdf>)

XXX. Public Law 103-242 (May 4, 1994) — 1 River, Study Due May 4, 1997

(135) **Rio Grande, New Mexico.** (BLM) Final report issued on January 4, 2000, but not transmitted to Congress. Seven point six miles determined eligible. (8 miles)

XXXI. Public Law 104-311 (October 19, 1996) — 1 River, Study Due October 19, 1998

(136) **Wekiva, Florida.** (NPS) Forty-one point six miles added to the National System, Public Law 106-299, October 13, 2000. **Study Report** (</sites/rivers/files/2023-02/wekiva-study.pdf>) (27 miles)

XXXII. Public Law 106-318 (October 19, 2000) — 1 River, Study Due October 19, 2003

(137) **Taunton, Massachusetts.** (NPS) Forty point zero miles added to the National System, Public Law 111-11, March 30, 2009. **Draft Study Report & Environmental Assessment** (</sites/rivers/files/2023-02/taunton-draft-study-ea.pdf>) (22 miles)

XXXIII. Public Law 107-65 (November 6, 2001) — 1 River, Study Due November 6, 2004

(138) **Eight Mile, Connecticut.** (NPS) Twenty-five point three miles added to the National System, Public Law 110-229, May 8, 2008. (15 miles)

XXXIV. Public Law 109-370 (November 27, 2006) — 1 River, Study Due November 27, 2009

(139) **Lower Farmington and Salmon Brook, Connecticut.** (NPS) Sixty-one point seven miles added to the National System, Public Law 116-9, March 12, 2019. **Study Report & Environmental Assessment (/sites/rivers/files/2023-01/lower-farmington-study-ea.pdf)** (70 miles)

XXXV. Public Law 111-11 (March 3, 2009) — 1 River, Study Due March 30, 2012

(140) **Missisquoi and Trout, Vermont.** (NPS) Forty-six point one miles added to the National System, Public Law 113-291, December 19, 2014. **Study Report & Environmental Assessment (/sites/rivers/files/2023-01/missisquoi-trout-study-ea.pdf)** (70 miles)

XXXVI. Public Law 113-291 (December 19, 2014) — 4 Rivers, Studies Due 3 years After Funding

(141) **Lake Creek, Lower Cave Creek, No Name Creek, Panther Creek, and Upper Cave Creek, Oregon.** (NPS) Lake Creek (3.6 miles) and Upper Cave Creek (0.2 miles) found eligible and suitable for designation; No Name Creek (0.6 miles), Panther Creek and the tributary Waterfelt Creek (0.8 miles), and Lower Cave Creek (2.6 miles) found ineligible. Report transmitted to Congress April 7, 2020. (8.3 miles) Oregon Caves (Lower & Upper Cave Creek, Lake Creek, No Name Creek, Panther Creek, & Waterfelt Creek) **Study Report (/sites/rivers/files/2022-12/oregon-caves-study.pdf), Transmittal Letters (/sites/rivers/files/2023-02/oregon-caves-study-transmittal.pdf)**

(142) **Beaver, Chipuxet, Queen, Wood and Pawcatuck Rivers, Rhode Island and Connecticut.** (NPS) One hundred ten miles added to the National System, Public Law 116-9, March 12, 2019. **Study Report (/sites/rivers/files/2022-12/wood-pawcatuck-study.pdf)** (86 miles)

(143) **Nashua River, Massachusetts.** (NPS) Fifty-two point eight miles added to the National System, Public Law 116-9, March 12, 2019. **Study Report (/sites/rivers/files/2023-05/nashua_studyreport_full_2019.pdf)** (32.5 miles)

(144) **York River, Maine.** (NPS) Thirty point eight miles added to the National System, Public Law 117-328, December 29, 2022. **York River Study Report (/sites/rivers/files/2022-12/york-study.pdf), Transmittal Letters (/sites/rivers/files/2023-01/york-congressional-letter.pdf)** (11.3 miles)

XXXVII. Public Law 117-328 (December 29, 2022) — 2

Rivers, Studies Due 3 years After Funding

(145) **Kissimmee River, Florida.** (NPS)

Study not yet initiated. (TBD miles)

(146) **Little Manatee River, Florida.** (NPS) Study not yet initiated. (50.0 miles)

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PARTNERS

- Bureau of Land Management (<https://blm.gov/programs/national-conservation-lands/wild-and-scenic-rivers>)
- National Park Service (<https://www.nps.gov/orgs/1912/index.htm>)
- NPS Partnership Rivers (<https://www.nps.gov/orgs/1912/partnership-wild-and-scenic-rivers.htm>)
- U.S. Fish & Wildlife Service (<https://www.fws.gov/story/wild-and-scenic-rivers>)
- U.S. Forest Service (<https://www.fs.usda.gov/managing-land/wild-scenic-rivers>)
- River Management Society (<http://river-management.org/>)

REFERENCES

- [Bibliography \(/rivers/apps/bibliography\)](/rivers/apps/bibliography)
- [Interagency Council \(/rivers/apps/council\)](/rivers/apps/council)
- [Stewardship \(/rivers/apps/stewardship\)](/rivers/apps/stewardship)
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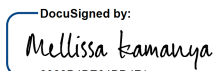
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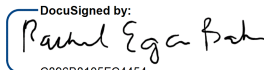
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/5/2026 11:38:12 AM
Certified Delivered	Security Checked	1/7/2026 3:40:52 PM

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- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;**
- ii. send us an email to dgalanaugh@bendoregon.gov and in the body of such request you must state your email, full name, mailing address, and telephone number.**

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here:
<https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify the City as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by the City during the course of your relationship with the City.