

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

Project Information

Project Name: Kendall-Pointe

HEROS Number: 900000010520062

Start Date: 02/13/2026

Responsible Entity (RE): MINNESOTA HOUSING FINANCE AGENCY, 400 Sibley St
Saint Paul MN, 55101

RE Preparer: Cindy Diel

State / Local Identifier:

Certifying Officer: James Lehnhoff

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

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

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

Project Location: , Rochester, MN 55901

Additional Location Information:

Project address: Southwest corner of 18th Ave NW and 55th St NW, Rochester, MN 55910 T107 R14W section 10 Olmsted County

Direct Comments to:

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

Kendall Pointe will be a 40 unit 4-story elevator new construction building, consisting of units targeting between 30% and 80% MTSP. The building will feature 71 total parking spaces, including 30 inside an attached garage. The exterior of the building will feature a picnic area, playground, and landscaping. Inside the building there will be a manager's office, a service provider office, a laundry room, fitness room, and library/community room. The site is roughly 3.38 acres and is currently vacant. The building facade will consist of brick and multiple orientations of vinyl siding. Kendall Pointe will have 4 units designated for individuals who qualify as High Priority Homeless and 6 units designated for individuals who qualify as Persons With Disabilities through the Section 811 program. The High Priority Homelessness units will be supported by 4 Housing Supports, and the Persons With Disabilities units will be supported by Section 811 rental assistance. There will be an additional 5 units served by Section 8 Project-Based Rental Assistance. The Housing Support units and the Section 8 Project-Based Rental Assistance units will be restricted to 30% MTSP, along with an additional 12 units without rental assistance. The 811-assisted units will be restricted to 50% MTSP. The remaining units will be restricted to 50% and 80% MTSP. Located in Rochester, a rapidly growing market, Kendall Pointe will contribute to supplying much needed affordable housing. The project will use the environmental clearance under the HOME and HUD Risk-Share programs in lieu of the Section 811 PRA NOFA requirements. This is allowed as long as the environmental review was completed within the last 5 years and the project description covers the units proposed to be assisted by the Section 811 PRA.

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

This proposal meets several of the housing needs in the community as described by the Rochester Comprehensive Plan 2040. The Comprehensive Plan outlines the key strategies of the plan, including Expanding Housing Diversity. The two initiatives the plan describes to expand housing diversity are to "expand the range of housing options and increase the supply of affordable housing." The plan specifically describes Rochester's need for affordable housing, citing an increase in households paying more than 30% of their income for housing rising from 20% in 2000 to 27% in 2010. As a 100% affordable development, Kendall Pointe addresses that need for affordable

housing. We first met with staff from the City of Rochester, Olmsted County HRA, and the Coalition for Rochester Area Housing in November 2024 as we were still determining the ideal unit mix and their feedback encouraged us to include a high percentage of 50% AMI units as well as 3- and 4-bedroom units. Furthermore, the Woda Cooper team tailored Kendall Pointe to address the requirements laid out by the Coalition for Rochester Area Housing's RFP, and was selected to receive funds and Section 8 vouchers.

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

The proposed property consists of a +/-3.38 acre parcel located at Near 18th Ave. NW & 55th St. NW, in Rochester, Minnesota. The property is vacant grass-covered land. No structures or remnants of structures were present on the property. Historically, the subject property consisted of cultivated or fallow agricultural land since at least 1937. aside from adjoining or nearby roads, the surrounding properties have largely consisted of agricultural land since at least 1937. Residential development began to the east and south around 1996, and to the north around 2008. The proposed development will be located as part of a master-planned development on the rapidly-growing north side of Rochester. The development will fit in with and complement the existing and planned housing in the immediate area, including attached and detached single-family homes, independent and assisted living for seniors, and market rate apartment development. The development will not displace any residents, and will offer deeply affordable housing to serve residents who may otherwise be priced out by increasing housing costs in Rochester. The development will not create a concentration of poverty, as it is only 40 units and will be a mixed-income community targeting a range of income levels from 30% AMI to 80% AMI.

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

[Kendall Pointe Preliminary Architectural Requirements.pdf](#)

[Site Photos at Application Kendall Pointe.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
M-23-SG-27-0100	Community Planning and Development (CPD)	HOME Program	\$4,001,000.00
TBD	Housing: Multifamily FHA	Section 542(b). Multifamily Mortgage Risk-Sharing Programs with Qualified Participating Entities	\$1,431,000.00
TBD	Housing: Multifamily Supportive Housing	Section 811. Supportive Housing for Persons with Disabilities	\$90,840.00
TBD	Public Housing	Project-Based Voucher Program	\$0.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$5,522,840.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$22,612,666.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	☐ Yes ☒ No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	☐ Yes ☒ No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance	☐ Yes ☒ No	Based on the project description the project includes no activities that would require further evaluation under this

Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☒ No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	☐ Yes ☒ No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	☐ Yes ☒ No	Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Vapor Encroachment Screening. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	☐ Yes ☒ No	
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	☐ Yes ☒ No	There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	☐ Yes ☒ No	This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is in

		compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	☐ Yes ☒ No	This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☐ Yes ☒ No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
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	A Noise Assessment was conducted. The noise level was acceptable: 62.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	☐ Yes ☒ No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☒ No	The project will not impact wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	☐ Yes ☒ No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used 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	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The proposed development is in line with the zoning of the subject site, as well as the broader land use plan for the City of Rochester, which calls for expanded supply of affordable housing.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The site is flat, and while some engineering will be necessary to prepare a structurally secure foundation, overall it is suitable. The stormwater management plan utilizes off-site retention ponds as part of the larger master-planned development.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	There are no hazards or nuisances identified in the project area.	
SOCIOECONOMIC			
Employment and Income Patterns	1	The development will create more than a hundred temporary construction jobs in the local community. All construction workers will be paid state prevailing wage rates, for which the current hourly rate for a common laborer is \$36.50. Though these jobs are temporary, they will create a not-insignificant number of living-wage employment opportunities over the course of the construction period. During operations the development will employ two full-time workers - a community manager and a service technician, creating sustained employment opportunities paying a living wage for decades to come.	
Demographic Character Changes / Displacement	1	The proposed development will be located as part of a master planned development on the rapidly-growing north side of Rochester. The development will fit in with	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		and complement the existing and planned housing in the immediate area, including attached and detached single-family homes, independent and assisted living for seniors, and market rate apartment development. The development will not displace any residents, and will offer deeply affordable housing to serve residents who may otherwise be priced out by increasing housing costs in Rochester. The development will not create a concentration of poverty, as it is only 40 units and will be a mixed-income community targeting a range of income levels from 30% AMI to 80% AMI.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The development will be served by Overland Elementary School, Dakota Middle School, and Century High School. Based on data from the National Association of Home Builders, a 40-unit development such as this can be expected to house 6-13 school aged children. This will not exceed the capacity of the existing schools in the area, and minimal impact is expected.	
Commercial Facilities (Access and Proximity)	2	There are numerous commercial facilities in the area, with a Walmart Supercenter, Sam's Club, and many restaurants and retail stores located within a mile of the site. Minimal impact is expected on the large commercial market	
Health Care / Social Services (Access and Capacity)	2	The site is located near a dentist office, and there are several clinics located within 5-10 minutes of the development. The Mayo Clinic, generally considered the best hospital in the world, is located 15-20 minutes away. Case management services will be provided on-site for the supportive housing residents. The 40 unit development will not exceed the capacity of the healthcare resources in the area.	
Solid Waste Disposal and Recycling	2	The development will produce construction waste during the construction period and	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
(Feasibility and Capacity)		household waste and recycling during operation, well within the capacity of local collection and disposal operations. Minimal impact is anticipated.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The development will connect into the existing sanitary sewer infrastructure located in Sara Lynn Drive, and have been coordinating design with Rochester Public Works. Tap fees will cover any improvements required, and minimal impact is anticipated based on the unit count.	
Water Supply (Feasibility and Capacity)	2	The development will be served by Rochester Public Works, with water lines existing in Sara Lynn Drive. Minimal impact is expected.	
Public Safety - Police, Fire and Emergency Medical	2	The Minnesota State Patrol, Rochester Police Department, and Rochester Fire Department all have stations within a 5-6 minute drive of the project site. The development will have full coverage with security cameras inside and outside the building, and has been designed with feedback from the Rochester Fire Department to allow access in case of an emergency. The development will be in the service area of the world-class Mayo Clinic emergency medicine. Given the size of the development, minimal impact is anticipated on these services.	
Parks, Open Space and Recreation (Access and Capacity)	2	The development is well-served by the nearby King's Run and Essex parks. Given the unit count and large size of these existing facilities, as well as the park dedication fee paid by the development, minimal impact is expected on the park and recreation facilities	
Transportation and Accessibility (Access and Capacity)	2	The development is served by the 26 and 411 bus routes, with stops located nearby at 55th Street and 25th Avenue. Though the relatively small unit count will not have a large impact on transportation, it may increase ridership on these public	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		transportation routes, supporting more frequent service.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	No impact.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The site was previously agricultural and has been vacant for several years, minimal to no impact is anticipates.	
Other Factors 1	2		
Other Factors 2	2		
ENERGY			
Energy Efficiency	2	All applicable appliances, light fixtures and fans will be Energy Star rated. Programmable thermostats will be provided within residential units and common spaces. Occupancy sensors will be provided as applicable within not normally occupied spaces. High efficiency water heaters will be utilized with insulated piping. The project intends to comply with the following: * Department of Energy Efficient New Homes * Enterprise Green Communities Intended Methods with MN Overlay * Energy Star Certification	

Supporting documentation

[260922 Kendall Pointe Energy.pdf](#)

[260922 Kendall Pointe Climate Change Impacts.pdf](#)

[Environmental-Assessment-Factors - Kendall Pointe.pdf](#)

Additional Studies Performed:

Phase 1 ESA conducted April 30, 2026 (PSI Project Number: 06731958-1)

Field Inspection [Optional]: Date and completed by:

[Site Photos at Application Kendall Pointe.pdf](#)

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

Minnesota Department of Health US Census Bureau ERIS Database Report and Vapor Encroachment Survey NEPAAssist Coalition for Rochester Area Housing Comprehensive Housing Needs Analysis

List of Permits Obtained:

Site Development Plan (City of Rochester), Building Permits, Minnesota Housing Approval

Public Outreach [24 CFR 58.43]:

A Notice of Section 106 review was published in the Post Bulletin on 6/16/2026. The combined NOI-RROF/FONSI notice was posted on Minnesota Housing's website on 9/25/2026 and was emailed to the following organizations: Minnesota Environmental Partnership, Environment Minnesota, Conservation Minnesota, Environmental Initiative, Minnesota Center for Environmental Advocacy, EPA Region 5.

[Section 106 publication affidavit Kendall Pointe.pdf](#)**Cumulative Impact Analysis [24 CFR 58.32]:**

The cumulative impact to the area will be minimal. Although the proposed apartment will impact the area, the property and surrounding areas have been previously developed with commercial and residential properties. Analysis indicates that the minimal impact will continue into the future, as it is reasonable to assume the residents of the new apartment building would frequent the area which will impact the surrounding area depending on activities (driving, walking, recreating, etc.). The impact on the housing market as a whole will be positive but minimal given the small unit count relative to the total market.

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

No alternatives were considered due to the site's optimal zoning, minimal environmental impact, and alignment with the city's housing needs. Based on the location of the proposed apartments, analysis indicates that the selected location minimizes additional impact on the environment, will fill a housing need within the City of Rochester, and is located such that noise, pollution, and other environmental impacts have little to no effect on the site.

No Action Alternative [24 CFR 58.40(e)]

It is anticipated that in the no action alternative, the site would continue to be vacant. The proposed site is part of a master-planned mixed use development, and is anticipated to be the first phase of the development to start construction. Without

this catalyst, it is possible that other developments in the immediate area would be slower to begin.

Summary of Findings and Conclusions:

Overall, the Kendall Pointe project will benefit the surrounding neighborhood and the City of Minneapolis by providing new units of affordable general occupancy and supportive housing in close proximity to area services and amenities. During the completion of this Part 58 review, no adverse impacts requiring mitigation were identified for the project. Consideration of radon will also occur following construction, and any adverse impacts from radon can be mitigated. As a result, no changes to the project are necessary to avoid significant impacts. Taking this information into account, along with all other information reviewed for this Part 58 environmental review, the development of this project will not have an adverse impact on the surrounding environment or resources, nor will it be adversely impacted by existing environmental conditions.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	Radon testing will be completed post-construction and any mitigation measures will be implemented as necessary.	N/A	Ensure that post-construction radon testing is completed. The external project team will also ensure that any final documentation, reports, and approvals associated with any necessary mitigation required are provided.	

Project Mitigation Plan

The developer for the project will be responsible for ensuring that post-construction radon testing is completed and that the accompanying tests and reports are submitted to Minnesota Housing staff. It is anticipated that this will occur after construction completion in the summer/fall of 2028.

Supporting documentation on completed measures

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

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

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

✓ **No**

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[Airport Buffer Map - Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ **No**

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

☒ No

Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[CBRS Map - Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

☒ No

Flood Insurance

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

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

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

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

Yes

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

Yes

- ✓ No

Screen Summary**Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

Supporting documentation

[FIRMETTE_Flood Hazard_Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

Air Quality

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

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

✓ Yes

No

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

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

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

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

Screen Summary**Compliance Determination**

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

[Air Quality for Each County by Year for All Criteria Pollutants _ Green Book _ US EPA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

☒ No

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

Screen Summary**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation[CBRS Map - Kendall Pointe\(1\).pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Contamination and Toxic Substances

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

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

- ☒ ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ☒ ASTM Vapor Encroachment Screening.
- None of the above

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

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

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

- ☒ No

Explain:

The Phase 1 ESA that was performed by Professional Service Industries, Inc. revealed no evidence of RECs in connection with the property for this project.

Yes

Screen Summary**Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Vapor Encroachment Screening. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[Final Phase I ESA Report Proposed Kendell Pointe Rochester MN.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

Section 7 USFWS consultation agrees that there should be little to no affect due to lack of habitat for the bee

Screen Summary
Compliance Determination

Supporting documentation

[Section 7 USFWS Consultation Proposed Kendall Pointe Project.msg](#)
[Species List_ Minnesota-Wisconsin Ecological Services Field Office \(2\).pdf](#)
[Section 7 USFWS Consultation - Proposed Kendall Pointe Project.pdf](#)
[Section 7 Endangered Species Act Consultation Packet - Kendall Pointe.pdf](#)
[IPaC Rusty Patch Bumblebee Critical Habitat - Kendall Pointe.pdf](#)
[20260427 NE TA TRI CLR BAT RW.pdf](#)
[20260427 NE TA MN WI StatesWide Kendall Pointe.pdf](#)
[20260427 MA TA RPBB_rw Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

☒ No

☐ Yes

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

☐ No

☒ Yes

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

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

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

☒ No

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

Yes

Screen Summary**Compliance Determination**

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[Updated Final Phase I ESA Report Proposed Kendall Pointe Rochester MN reduced.pdf](#)
[MPCA AST Map- Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

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

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

✓ Yes

No

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

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

✓ Yes

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

No

Screen Summary**Compliance Determination**

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Protection - Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Kendall-Pointe

Rochester, MN

900000010520062

Yes

✓ No

Floodplain Management

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

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

Yes

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

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

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

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

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

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

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

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

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

or other HUD assistance.

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

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

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

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

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

Describe:

✓ No

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

Yes

Describe:

✓ No

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

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

Select one of the following three options:

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

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

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

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

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

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

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

[FIRMETTE_Flood Hazard_Kendall Pointe\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

No, because the project consists solely of activities covered by the ACHP's PROGRAM COMMENT ON CERTAIN HOUSING, BUILDING AND TRANSPORTATION UNDERTAKINGS, as demonstrated in the ACHP PC Checklist.

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

Step 1 – Initiate Consultation

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

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Apache Tribe of Oklahoma	Completed
✓ Cheyenne and Arapaho Tribes, Oklahoma	Completed
✓ Flandreau Santee Sioux Tribe of South Dakota	Completed
✓ Fort Belknap Indian Community Montana	Completed
✓ Iowa Tribe of Kansas and Nebraska	Completed
✓ Lower Sioux Indian Community Minnesota	Completed
✓ Menominee Indian Tribe of Wisconsin	Completed
✓ Prairie Island Indian Community Minnesota	Completed
✓ Santee Sioux Nation, Nebraska	Completed
✓ Sisseton-Wahpeton Oyate, Lake Traverse, SD	Completed
✓ Spirit Lake Tribe, North Dakota	Completed
✓ Upper Sioux Community, Minnesota	Completed

Other Consulting Parties

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

Consulting parties were determined by scope and location of the project.

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

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

Yes

No

Step 2 – Identify and Evaluate Historic Properties

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

APE map attached.

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

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

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

Additional Notes:

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

concurrence(s) or objection(s) below.

Document reason for finding:

- ✓ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[Section 106 publication affidavit Kendall Pointe\(1\).pdf](#)

[Site Photos at Application - Kendall Pointe.pdf](#)

[Site Map.pdf](#)

[THPO Consultation Packet - reduced - Kendall Pointe.pdf](#)

[SHPO MN Historic Inventory - Kendall Pointe.pdf](#)

[HPC Request for Review - Kendall Pointe.docx](#)

[SHPO Request for Review Packet - reduced - Kendall Pointe.pdf
2026-0798.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

Noise Abatement and Control

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

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

- ✓ New construction for residential use

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

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

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

Indicate the findings of the Preliminary Screening below:

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

- ✓ Noise generators were found within the threshold distances.

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

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

Indicate noise level here: 62

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

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

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 62

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 62.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[Vehicle Count Exponential Growth Model - Kendall Pointe.xls](#)
[Traffic Viewer Hwy 55 - Kendall Pointe.pdf](#)

[Traffic Viewer - Kendall Pointe.pdf](#)

[Day_Night Noise Level \(DNL\) Calculator - Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[Sole Source Aquifer - Kendall Pointe.docx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 requires avoiding to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands, and avoiding actions that directly or indirectly support new construction in wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory must be used as a primary screening tool, but observed or known wetlands not delineated on NWI maps must also be evaluated.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in 24 CFR 55.10 and referenced in Executive Order 11990? The term "new construction" shall include grading, clearing, draining, dredging, channelizing, filling, diking, impounding, and related activities for any structure or facilities, including the siting of new manufactured housing units.

No

✓ Yes

2. Will the new construction activities directly impact an onsite 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, prairie potholes, wet meadows, river overflows, mud flats, and natural ponds. This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid fill roadbeds and activities such as mineral extraction and navigation improvements. This definition includes both wetlands subject to and those not subject to Section 404 of the Clean Water Act as well as constructed wetlands.

✓ No, an onsite wetland will not be directly impacted by new construction activities, as defined in 24 CFR 55.10.

Yes, there is an onsite wetland that will be directly impacted by new construction activities, as defined 24 CFR 55.10.

3. Will the proposed project indirectly affect wetlands by modifying the flow of stormwater, releasing pollutants, or otherwise changing conditions that contribute to wetlands viability?

Yes, wetlands may be indirectly affected by changing conditions that contribute to wetlands viability.

- ✓ No, wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

4. Will the proposed project indirectly affect off-site wetlands?

Yes, off-site wetlands may be indirectly affected.

- ✓ No, off-site wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

Screen Summary

Compliance Determination

The project will not impact wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetlands - Kendall Pointe.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary**Compliance Determination**

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

Supporting documentation

[Wild and Scenic Rivers - Kendall Pointe.JPG](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

